

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

April 2010

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STAFF:

SUSAN Z. JOHANNESMAN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

STATE OF MAINE

124TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Natural Resources

Resolve 2009, chapter 194 was finally passed as an emergency measure effective April 1, 2010.

LD 1797 An Act Regarding Planning for the Management of Solid Waste ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

This bill moves the responsibility for preparing the state solid waste management and recycling plan and staffing the Solid Waste Management Advisory Council from the Executive Department, State Planning Office to the Department of Environmental Protection.

LD 1818 Resolve, To Continue Evaluating Climate Change Adaptation Options RESOLVE 195
for the State

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-467 GOODALL

This bill directs the Department of Environmental Protection with a stakeholder group to continue to evaluate the options and actions available to Maine people and businesses for adapting to the most likely impacts of climate change pursuant to Resolve 2009, chapter 16. It requires the department to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters in 2011 and 2012 and authorizes the committee to submit a bill relating to each report to the 125th Legislature.

Senate Amendment "A" (S-467)

This amendment removes authority for the joint standing committee of the Legislature having jurisdiction over natural resources matters to submit a bill to the 125th Legislature.

Enacted Law Summary

Resolve 2009, chapter 195 directs the Department of Environmental Protection with a stakeholder group to continue to evaluate the options and actions available to Maine people and businesses for adapting to the most likely impacts of climate change pursuant to Resolve 2009, chapter 16. It requires the department to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters in 2011 and 2012.

LD 1827 Resolve, To Review the Waste Motor Oil Disposal Site Remediation RESOLVE 211
Program

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L GOODALL	OTP-AM	H-822

Joint Standing Committee on Natural Resources

This bill amends the premium on motor oil to raise additional revenue for deposit in the Waste Motor Oil Revenue Fund. Currently, the premium is \$1.10 per gallon for bulk quantities of gasoline engine oil and 35¢ for diesel engine oil or prepackaged motor oil, oil sold in containers of 5 gallons or less. The bill increases the premium on prepackaged motor vehicle oil to \$1.10 per gallon. The bill also repeals definitions of the terms "diesel engine bulk motor vehicle oil" and "gasoline engine bulk motor vehicle oil," the effect of which is to expand the applicability of the premium to all motor oil grades. The bill provides for a rebate of the premium paid for prepackaged motor vehicle oil that is stored in the State, and then sold out-of-state. The bill authorizes the Finance Authority of Maine to directly reimburse the Department of Environmental Protection for its costs to clean up the Presque Isle waste motor oil disposal site. The bill directs the Finance Authority of Maine to pay proceeds of the revenue obligation securities issued under the Waste Motor Oil Disposal Site Remediation Program first to responsible parties at the Plymouth waste motor oil disposal site and then to the department for clean-up costs at the Ellsworth, Casco and Presque Isle waste motor oil disposal sites in that order. The bill authorizes the Finance Authority of Maine to reimburse the Maine National Guard for its share of response costs at the Plymouth waste motor oil disposal site. The bill allows the State Tax Assessor to disclose to the Department of Environmental Protection and the Finance Authority of Maine the names of each motor vehicle oil dealer who paid the required premium of motor oil sales.

Committee Amendment "A" (H-822)

This amendment replaces the bill with a resolve. The amendment requires the Department of Environmental Protection to coordinate a review of the waste motor oil disposal site remediation program under the Maine Revised Statutes, Title 10, chapter 110, subchapter 1-F. The review must include the participation of a stakeholder group. The amendment requires the department to submit a written report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by December 1, 2010.

Enacted Law Summary

Resolve 2009, chapter 211 requires the Department of Environmental Protection to coordinate a review of the waste motor oil disposal site remediation program under the Maine Revised Statutes, Title 10, chapter 110, subchapter 1-F. The review must include the participation of a stakeholder group. Chapter 211 requires the department to submit a written report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by December 1, 2010.