

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES**

July 2011

MEMBERS:

SEN. THOMAS B. SAVIELLO, CHAIR
SEN. ROGER L. SHERMAN
SEN. SETH A. GOODALL

REP. JAMES M. HAMPER, CHAIR
REP. BERNARD L. A. AYOTTE
REP. JANE S. KNAPP
REP. JOAN M. NASS
REP. RICKY D. LONG
REP. JAMES W. PARKER
REP. ROBERT S. DUCHESNE
REP. MELISSA WALSH INNES
REP. JOAN W. WELSH
REP. DENISE PATRICIA HARLOW

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
125TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Environment and Natural Resources

bill also requires the Commissioner of Environmental Protection to enter into an agreement with an outside reviewer if, at the expiration of 1/2 of the published processing time for permit and license applications, the commissioner determines that the department cannot complete the application review within the published processing time.

LD 615 An Act To Authorize the Rerouting of Meadow Brook into Toothaker Pond ONTP

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

This bill authorizes the Toothaker Pond Association to reroute Meadow Brook into Toothaker Pond in the Town of Phillips.

LD 666 Resolve, To Reimburse Convenience Stores on a One-time Basis for Beverage Containers MAJORITY (ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AYOTTE SHERMAN	ONTP MAJ OTP-AM MIN	

This resolve requires the State, on a one-time basis, to reimburse convenience stores the refund value of beverage containers that are not labeled as being refundable in Maine. The resolve also directs the Department of Agriculture, Food and Rural Resources to establish a process for implementing the reimbursement.

LD 671 An Act To Amend the Laws Governing the Ground Water Oil Clean-up Fund PUBLIC 243

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AYOTTE SHERMAN	OTP-AM	H-274 H-314 HAMPER

This bill changes the membership of the Fund Insurance Review Board, provides the board additional powers and authorizes the board to review and approve the budget of the Ground Water Oil Clean-up Fund.

Committee Amendment "A" (H-274)

This amendment replaces the bill. The amendment changes the membership of the Fund Insurance Review Board by:

1. Decreasing from 3 to 2 the number of members representing the petroleum industry;
2. Designating membership of 2 members who have expertise in oil storage facility design and installation, oil spill remediation or environmental engineering; and

Joint Standing Committee on Environment and Natural Resources

3. Decreasing from 5 to 4 the number of public members.

The amendment also alters the duties of the review board to include reviewing Department of Environmental Protection priorities for disbursements from the Ground Water Oil Clean-up Fund and making recommendations to the Commissioner of Environmental Protection on how the fund should be allocated. The amendment also provides for the number of meetings to be held by the review board and for the annual selection of a chair. The amendment also consolidates responsibilities for hearing appeals and reporting to the Legislature in the section of law that deals with the review board. The amendment retains the provision in current law that repeals the review board on December 31, 2015. The amendment also retains the provision in the bill that provides that total disbursements from the Ground Water Oil Clean-up Fund for administrative expenses may not exceed \$2,000,000 per fiscal year.

House Amendment "A" To Committee Amendment "A" (H-314)

This amendment strikes the section of Committee Amendment "A" that provides that total disbursements from the Ground Water Oil Clean-up Fund for administrative expenses may not exceed \$2,000,000 per fiscal year.

Enacted Law Summary

Public Law 2011, chapter 243 changes the membership of the Fund Insurance Review Board; alters the duties of the review board to include reviewing Department of Environmental Protection priorities for disbursements from the Ground Water Oil Clean-up Fund and making recommendations to the Commissioner of Environmental Protection on how the fund should be allocated; provides for the number of meetings to be held by the review board and for the annual selection of a chair; consolidates responsibilities for hearing appeals and reporting to the Legislature in the section of law that deals with the review board; and retains the provision in current law that repeals the review board on December 31, 2015.

LD 680 Resolve, Directing the Commissioner of Environmental Protection To ONTP
Convene a Task Force To Study the Effect of Additives in Gasoline

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

This resolve requires the Commissioner of Environmental Protection to convene a task force to study and report to the Legislature on the effects of additives in gasoline on the environment.

LD 693 An Act Concerning Solid Waste Facility Citizen Advisory Committees Carried Over

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

This bill clarifies that a solid waste facility citizen advisory committee is to continue through the closure of the facility. It authorizes a citizen advisory committee to appeal licensing and permitting decisions and intervene in licensing and permitting proceedings if the disposition of the proceedings could impair the ability of the committee to carry out its responsibilities. It authorizes municipalities that appoint members to a citizen advisory committee to appeal licensing and permitting decisions and intervene in licensing and permitting