

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing Reports Related to Natural Resources

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §3331, sub-§4, as enacted by PL 1993, c. 721, Pt. C, §1 and affected by Pt. H, §1, is amended to read:

4. Quarterly meetings; biennial report. The council shall meet at least quarterly. In addition, the council shall prepare a work program for each year establishing priorities among its efforts. ~~By January 15th of each year~~ Every 2 years beginning in 2009 and no later than January 15th, the council shall prepare and submit to the Governor and to the joint standing committee of the Legislature having jurisdiction over natural resource matters ~~an annual~~ a report describing its activities during the previous 2 calendar year~~s~~ years and an outline of anticipated activities for the current calendar year. Member agencies shall provide staff support.

Sec. 2. 22 MRSA §679-B, sub-§5, as amended by PL 1995, c. 333, §2, is further amended to read:

5. Allocation from fund. Money in the Radioactive Waste Fund established by this section must be allocated from time to time by the Legislature ~~for the following purposes: to the Radioactive Waste Advisory Commission Fund as established in Title 38, section 1454-A to fund the activities of the Advisory Commission on Radioactive Waste as described in Title 38, section 1453-A for advisory and public information activities; and to the department for administrative and regulatory activities as described in this section.~~ These amounts become available in accordance with Title 5, chapters 141 to 155.

The department may receive and expend federal grants and payments for the purpose of carrying out its duties set out in section 679-A, subsection 2.

Sec. 3. 22 MRSA §679-B, sub-§7, as enacted by PL 1993, c. 664, §10, is repealed.

Sec. 4. 22 MRSA §680, sub-§4, as enacted by PL 1983, c. 345, §§13 and 14, is repealed.

Sec. 5. 38 MRSA §344-B, sub-§6, as enacted by PL 1991, c. 804, Pt. B, §4 and affected by §7, is repealed.

Sec. 6. 38 MRSA §470-G, as enacted by PL 2001, c. 619, §1 and amended by PL 2003, c. 689, Pt. B, §7, is repealed and the following enacted in its place:

§ 470-G. Reporting and use of collected data

The department shall report data collected pursuant to this article to the Water Resources Planning Committee established under Title 5, section 3331, subsection 8. The Water Resources Planning Committee shall use this data in the fulfillment of its duties under Title 5, section 3331, subsection 8. Reporting of the data must be summarized in a manner that does not allow for the identification of any individual user.

Sec. 7. 38 MRSA §585-D, 3rd ¶, as enacted by PL 2005, c. 245, §1, is amended to read:

The department shall annually evaluate whether the State should continue to implement and enforce California low-emission vehicle standards relating to the control of emissions from new motor vehicles or new motor vehicle engines. The evaluation must include a review of the benefits and costs of enforcing the California standards and the benefits and costs of adopting the federal standards. ~~The department shall report on its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15, 2007 and by January 15th every year thereafter. The joint standing committee of the Legislature having jurisdiction over natural resources matters may report out legislation related to the department's evaluation to the Legislature.~~

Sec. 8. 38 MRSA §1316-G, sub-§1, ¶H, as enacted by PL 1995, c. 578, §1, is amended to read:

H. Educate the public and encourage use of tires based on consideration of environmental and public health impacts as well as market conditions; and

Sec. 9. 38 MRSA §1316-G, sub-§1, ¶I, as enacted by PL 1995, c. 578, §1, is amended to read:

I. Contract for services to reduce tire stockpiles and abate significant risk to the environment and public health at tire stockpile sites; ~~and.~~

Sec. 10. 38 MRSA §1316-G, sub-§1, ¶J, as enacted by PL 1995, c. 578, §1, is repealed.

Sec. 11. 38 MRSA §1454-A, as amended by PL 1999, c. 556, §39 and PL 2003, c. 689, Pt. B, §§6 and 7, is repealed.

SUMMARY

This bill makes the following changes to the laws governing reports related to natural resources.

1. It provides for biennial reporting by the Land and Water Resources Council. Current law requires an annual report.

2. It eliminates the requirement that the Department of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the Radioactive Waste Fund.

3. It eliminates the requirement that the Department of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on fees for radiation protection services.

4. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over energy and natural resources matters on certain permitting and licensing activities.

5. It eliminates the requirement that the Commissioner of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on water use reporting. It requires the Department of Environmental Protection to report water use data to the Water Resources Planning Committee.

6. It eliminates the requirement that the Department of Environmental Protection report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on low-emission vehicle standards.

7. It eliminates the requirement that the Department of Environmental Protection report to the Legislature regarding tire stockpiles.

8. It repeals the laws that establish and govern the Radioactive Waste Advisory Commission Fund, including a requirement that the Commissioner of Health and Human Services report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters regarding the fund, to reflect the repeal of the laws that established and governed the Advisory Commission on Radioactive Waste and Decommissioning. It also amends a provision that refers to this repealed advisory commission.