125TH MAINE LEGISLATURE
BILLS RELATING TO FRESHWATER RESOURCES

LD #	TITLE AND PROVISIONS	COMM.	SPONSOR	PUBLIC HEARING WORK SESSION PH or WS	COLA WILL
1	**An Act to Ensure Regulatory Fairness and Reform** Omnibus "to improve the business climate, create jobs and expand opportunities by reviewing regulations to ensure transparency, effectivemess and efficiency in the development, adoption, implementation, and enforcement of regulatory efforts and eliminate duplicate or unnecessary regulations." **Many of its 63 proposals will appear in other bills throughout the session.**	Select Comm on Fairness/Reform (F R)	Sen K. Raye	14-Feb 9:00 AM Room 208 Cross State Office Building	OPPOSE
17	**An Act to Reform the Land Use and Planning Authority within the Unorganized Territories of the State** Eliminates LURC, effective July 15, 2012, and directs it to develop a plan to provide authority over land use planning in the unorganized territory to the counties in which the land is located. LURC is required to submit its proposal with necessary legislation to repeal LURC and transfer its duties to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 2, 2011.	ACF	Rep P. Davis		OPPOSE
56	**An Act to Allow the Owner of Waterfront Property to Fish that Body of Water without a Fishing License** Allows owner of waterfront property on a great pond, river, stream to fish that great pond, river or stream from that person's property without a fishing license. Doesn't apply to persons whose fishing lisence is under suspension or revocation. (COLA will propose an amendment supportive of funding for IF&W which adds a moderate fee for waterfront property owners.)	Inland Fisheries and Wildlife (IFW)	Rep P. Rioux		NEITHER FOR NOR AGAINST amend lower fee
~~154~~	**An Act To Change the Classification of the Lower Androscoggin River** Changes the classification of the lower Androscoggin River from Worumbo Dam in Lisbon Falls to a line formed by extending the Bath-Brunswick boundary across Merry-meeting Bay from Class C to Class B.	Environ. & Nat. Resources ENR	Sen. S. Goodall	8-Feb 1 PM Room 216 Cross Office Bldg	MONITOR
156	**An Act to Clarify the Regulation of Impacts to Significant Vernal Pool Habitats under the Natural Resources Protection Act** If the vernal pool depression habitat is not on the property of a landowner proposing to impact a significant vernal pool habitat, that landowner is not subject to the vernal pool regulations.	ENR	Sen C Rector	Public Hearing Possible 1-Apr	OPPOSE
159	**An Act to Foster Economic Development by Improving Administration of the Laws Governing Site Location of Development and Storm Water Management** Doubles the threshold for defining what constitutes a "subdivision," by redefining "Subdivision" to mean 10 or more lots in a single parcel to be offered to the public in any 5 year period if the land area exceeds 40 acres (up from 5 lots, 20 acres). An exception to these limits is provided if all lots are for single-family, detatched residential housing, open space or common areas,	ENR	Sen. T. Saviello		

	then "subdivision" would mean parcel division into 30 or more lots to be offered for sale in any given 5 year period if the land area exceeds 60 acres (up from 15 lots, 30 acres). Also, previously, large lots (40-500 acres) weren't counted as lots except when located wholly or partly in the shoreland zone; this bill would remove the 500 acre cap on lot definition and remove the shoreland zone exception to the definition of 40+ acre lots.				
219	**An Act to Amend the Laws Governing Shoreland Zoning** Reduces the width of land subject to shoreland zoning and land use controls from 250 feet to 75 feet from the normal high-water line or upland edge of any body of water, river or wetland. Municipal ordinances regarding shoreland zoning in effect January 1, 2011, is valid and in effect until rescinded, amended or changed by that municipality.	ENR	Sen. Snowe-Mello		OPPOSE
~~**222**~~	~~**An Act to Provide for the Appointment of Division Directors in the DEP** Politicizes the positions of Division Directors in the three Bureaus of the DEP by removing all division directors from service positions and puting these positions in a category to be appointed by the Commissioner of Environmental Protection. *In the Bureau of Land and Water Quality, the positions of Environmental Assessment, Water Quality Management, Watershed Management, and Land Resource Regulation would become political appointments*.~~		Sen. Saviello	**INDEF. POSTPONED**	OPPOSE
252	**An Act to Amend the Laws Governing Aquatic Nuisance Species** Broadens the definition of "aquatic plant" to include non-vascular plants, provides for filling a vacancy on the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species by someone not representative of one of the specified constituencies if the Governor can't fill that vacancy, and requires the departments of Inland Fisheries and Wildlife and Environmental Protection to report to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2012, concerning the control of invasive aquatic species including but not limited to the use of felt-soled waders and the spread of invasive aquatic species	ENR	Rep Eberle	**Public Hearing** 3/1/2011, 1 pm **Work Session** 3/9/2011, 9 am Rm 216, Cross	SUPPORT **Unanimous Ought to Pass!**
322	**An Act to Repeal the Informed Growth Act** Removes the municipal requirement to determine whether a large scale development (75,000 square feet) will have an undue adverse effect on the economy of the region and the environment of the community for which the development is planned. It also destroys the mechanism through which municipalities can access funds to pay for the economic and environmental impact study called for by the Informed Growth Act.	State and Local 17-Feb R, 214 Cross	Rep. Clark	**AMENDED** Act retained, not mandatory, opt in allowed. **Divided report**	OPPOSE amend to let towns opt in.
323	**An Act to Implement a Coordinated Stretegy to Attract New Businesses, Expand Existing Businesses and Develop a Consistent, Recognizable Maine Brand** Proposes state-level public/private partnership to develop a strategy for economic development	Labor, Commerce Research, Ec. Development	Rep. Volk		SUPPORT (by letter-role of lakes)

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333	**Resolve, Directing the Department of Environmental Protection to Amend its**	ENR	Rep Briggs	**HEARING**	
	Rules Regarding Snow Dumps Requires the DEP to exempt municipalities from the			3/2/11, 9 am	
	waste discharge licensing requirement for snow dumps they create while removing snow			**WORK SESSION**	
	from public rights-of-way.			3/15/11, 1 pm	
~~339~~	**~~An Act to Prohibit Municipal Ordinances More Stringent than State Guidelines~~** ~~Prohibits~~	ENR	Senator Collins,	**INDEF.**	OPPOSE
	~~municipalities from adopting shoreland zoning ordinances more stringent than state guidelines.~~		Saviello, Rep.	**POSTPONED**	
	~~Municipalities are currently authorized to adopt more stringent ordinances, and many have.~~		Joan Nass		
341	**An Act to Exempt Artificial Wetlands & Artificial Significant Vernal Pool Habitats**	ENR	Sen Thomas	Public Hearing	OPPOSE
	from State Regulation Removes man-made wetlands and significant vernal pool			Possible	
	habitats from state regulation (protection) under the Natural Resources Protection Act			1-Apr	
434	**An Act to Exempt Wetlands Created by Obstructions or Barriers from the Shoreland**	ENR	Senator Collins		OPPOSE
	Zoning Laws Exempts freshwater swamps, marshes, bogs and similar areas created as a				
	result of artificial or natural obstructions from regulation under the Shoreland Zoning laws				
515	**An Act to Review State Water Quality Standards** Revises and updates water quality	ENR	Senator		RESEARCH
	standards used to establish waste discharge license parameters and establishes procedures		Saviello		
	for developing alternative state and site specific water quality standards (Is this a Dept bill?)				
556	**An Act Concerning Fish and Wildlife Program Funds** Changes the language referring to	IF&W	Rep Davis		SUPPORT
	Lake and River Protection Fund moneys in the Department of Inland Fisheries and Wildlife, so				
	as to make it consistent with existing law by defining "nuisance species" in the same terms"				
	"Nuisance species means an aquatic or terrestrial nonindigenous species that threatens the				
	diversity or abundance of native species, the ecological stability of infested waters or				
	commercial, agricultural, aquacultural or recreational activity dependent on such waters as				
	identified by the department through rulemaking."				
563	**RESOLUTION: Proposing an Amendment to the Constitution of Maine to Use a Portion**	TAXATION	Senator		SUPPORT
	of the Sales and Use Tax for the Protection of Maine's Fish and Wildlife Proposed to		Trahan		
	amend the Constitution of Maine to allocate 0.125% of Sales and Use Tax revenues to the				
	Department of Inland Fisheries and Wildlife for the sole purpose of protecting the State's fish				
	and wildlife resources.				
616	**An Act to Clarify Landowner Liability for Environmental Damage Caused by Others**	ENR	Sens Saviello		RESEARCH
	limits landowner liability for environmental violations caused by recreational/harvesting activities		and Plowman		

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819	**Resolve, To Improve the Predictability of Land Use Regulation in the Unorganized**	ACF	Rep McCabe		SUPPORT
	Territories Directs LURC to (1) begin prospective zoning to accommodate growth and protect				
	natural resources in the region by directing development to other zones by July, 2011; (2) seek				
	imput from stakeholders prior to implementing the revised comprehensive land use plan by July				
	2011; (3) develop a permit by rule process to permit routine and minor activities that meet estab				
	lished standards of design, construction and use to avoid adverse environmental impacts; (4) and				
	report back to the ACF committee by January 15, 2012				
872	**An Act to Clarify the Natural Resources Protection Act** Slashes setback to 75 feet (fm 250)	ENR	Sens Collins	Public Hearing	OPPOSE
	for significant vernal pool habitat, high and moderate value inland watefowl and wading bird habi		Saviello, Thomas	Possible	
	tat and shorebird nesting, feeding and staging areas. Provides a mechanism to compensate		Reps Burns,	1-Apr	
	landowners for property value losses incurred as a result of more stringent setback regulations		Cebra, Parry		
888	**An Act to Allow Flexibility under Municipal shoreland Zoning Ordinances** Changes the	ENR	Curtis		OPPOSE
	limitation on non-conforming building expansions in the SLZ from an either/or to both/and option.				
	Currently, a non-conforming building which has been expanded by 30% in volume or foot area				
	may not be permitted for further expansion. LD 888 would allow a town to adopt a local ordin-				
	ance permitting an additional expansion of 1,000 for wetlands, 1,500 for great ponds and tribu-				
	tary rivers classified GPA, and 500 square feet with buffer mitigation if 50' from a wetland				
913	**Resolve, to Consolidate the State's Boat Launch Programs** directs the departments of	ACF	Rep. McCabe		SUPPORT
	Inland Fisheries and Wildlife and Conservation to combine their boat launch programs and				
	submit a progress report to the Joint Committee on Agriculture, Conservation, and Forestry				
	by December 1, 2011.				
1031	**An Act to Amend the Laws Governing Significant Wildlife Habitat** Removes permitting	ENR	Rep Ayotte	Public Hearing	OPPOSE
	requirements for timber harvesting in significant wildlife habitat mapped by Department of Inland			Possible	
	Fisheries and Wildlife.			1-Apr	
1077	**An Act to Enhance Public Participation in Decisions Relating to Large-Scale Water**		Rep Burns		RESEARCH
	Extraction and Transportation. Requires a consumer-owned water utility, a municipality, or				
	the Land Use Regulation Commission to get voter approval before entiering into a contract for				
	large-scale water extraction or transportation with another entity. Municipality, county,				
	consumer owned utility or LURC may require the contracting entity to pay voting costs.				