

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES

JULY 1997

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*Sen. Jeffrey H. Butland*

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**Maine State Legislature**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

Sponsor(s)  
JONES SL

Committee Report  
OTP-AM

Amendments Adopted  
H-577

LD 1593 proposed to transfer authority for implementing a lead abatement licensing, certification and accreditation program and for establishing lead abatement work practice standards to the Department of Environmental Protection from the Department of Human Services. This would consolidate services for the licensing, certification and accreditation of lead and asbestos abatement professionals.

**Committee Amendment "A" (H-577)** proposed to clarify that lead abatement does not include the renovation and remodeling of a residence and that the Department of Environmental Protection, in adopting rules to implement the lead abatement laws, should ensure that for the purposes of renovation and remodeling the term "residence" includes, but is not limited to, an owner-occupied single-family primary residence that includes a home-based business or an owner-occupied bed and breakfast with 10 or fewer licensed guest rooms. The amendment also proposed to clarify that lead-based paint activities include interim controls.

The amendment proposed to clarify the definitions concerning certain lead abatement professionals, to strike the definition of elevated blood-lead level and to define "lead-poisoned." It also proposed to specify that licensing, certification, notification and work practice standards are not in effect for lead-based paint activities in public buildings, commercial buildings and superstructures until the effective date of rules adopted by the Department of Environmental Protection. The amendment proposed to require that in adopting the rules the department ensure that they minimize duplicative requirements with the regulations of the United States Department of Labor, Occupational Safety and Health Administration.

The amendment also proposed to clarify that a person who is 18 years of age or older may perform abatement activities within a residential dwelling unit that the person owns and personally occupies without obtaining licensing or certification, provided that a child residing in the dwelling unit has not been identified as lead-poisoned.

***Enacted law summary***

Public Law 1997, chapter 375 transfers authority for implementing a lead abatement licensing, certification and accreditation program and for establishing lead abatement work practice standards to the Department of Environmental Protection from the Department of Human Services. The law requires a person to be licensed or certified by the Department of Environmental Protection in order to engage in residential lead-based paint activities and, after the effective date of rules adopted by the department relating to lead-based paint activities in public or commercial buildings, the law requires a person to be licensed or certified in order to engage in any lead-based paint activities.