

# 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  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Natural Resources*

*August 2005*

**Members:**

*Sen. Scott W. Cowger, Chair  
Sen. John L. Martin  
Sen. Lois A. Snowe-Mello*

*Rep. Theodore S. Koffman, Chair  
Rep. Joanne T. Twomey  
Rep. Thomas B. Saviello  
Rep. Judd D. Thompson  
Rep. Robert S. Duchesne  
Rep. Jane E. Eberle  
Rep. Robert A. Daigle  
Rep. Henry L. Joy  
Rep. James D. Annis  
Rep. Kimberley C. Rosen*

**Staff:**

*Susan Z. Johannesman, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Natural Resources*

LD 40

**An Act To Amend the Licensing and Certification Requirements  
Relating to Asbestos Abatement Activities**

**PUBLIC 52**

<u>Sponsor(s)</u> MAYO		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-66
---------------------------	--	-----------------------------------	--	-----------------------------------

LD 40 proposed to require that all persons engaging in asbestos abatement activities, except asbestos abatement activities related to disposal undertaken at licensed asbestos disposal sites, be subject to licensing and certification requirements.

**Committee Amendment "A" (S-66)** proposed to clarify that the Commissioner of Environmental Protection may waive the licensing or certification requirement for asbestos abatement activities undertaken by persons licensed by the Oil and Solid Fuel Board who perform emergency repair, installation, removal or servicing of heating equipment in single-unit residential buildings.

*Enacted law summary*

Public Law 2005, chapter 52 requires that all persons engaging in asbestos abatement activities, except asbestos abatement activities related to disposal undertaken at licensed asbestos disposal sites, be subject to licensing and certification requirements. It also clarifies that the Commissioner of Environmental Protection may waive the licensing or certification requirement for asbestos abatement activities undertaken by persons licensed by the Oil and Solid Fuel Board who perform emergency repair, installation, removal or servicing of heating equipment in single-unit residential buildings.

**LD 72**

**An Act To Promote Sound Science in Climate Change Policy**

**PUBLIC 144**

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> H-274
--------------------------	--	---	--	------------------------------------

LD 72 proposed to require that, when the Department of Environmental Protection adopts rules designed to reduce greenhouse gas emissions, the department must issue an estimate of the amount of global warming that will be prevented and the costs that will result from the rules requiring reduction in greenhouse gas emissions.

**Committee Amendment "A" (H-274)**, the majority report, replaced the bill and changed its title. It proposed to direct the Department of Environmental Protection to include in its biennial climate change evaluation a review of the cost-effectiveness of the actions taken toward meeting the greenhouse gas emissions reduction goals. It also proposed to require the department to submit a report of its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters and it proposed to authorize the committee to report out legislation relating to the evaluation to the second regular session of any Legislature.

## *Joint Standing Committee on Natural Resources*

### ***Enacted law summary***

Public Law 2005, chapter 144 directs the Department of Environmental Protection to include in its biennial climate change evaluation a review of the cost-effectiveness of the actions taken toward meeting the greenhouse gas emissions reduction goals. It also requires the department to submit a report of its evaluation to the joint standing committee of the Legislature having jurisdiction over natural resources matters and it authorizes the committee to report out legislation relating to the evaluation to the second regular session of any Legislature.

### **LD 99                      An Act To Include Specific Bodies of Water within Class C Standards                      ONTP**

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

LD 99 proposed to require all Class C waters to meet a 6.5 parts per million dissolved oxygen 30-day average standard whenever the daily water temperature is equal to or less than 24 degrees centigrade or the ambient temperature of the water body, whichever is lower.

### **LD 141                      An Act To Ensure Proper Disposal of Debris and Protection of the Environment                      CARRIED OVER**

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

LD 141 proposes to ban the disposal in a landfill or in an incineration facility of debris resulting from construction, remodeling, repair and demolition of structures unless the structure from which the debris originated is or was located in this State. LD 141 was carried over by H. P. 1203 to any special or regular session of the 122<sup>nd</sup> Legislature.

### **LD 183                      An Act Relating to the Definition of Indigenous Species                      ONTP**

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

LD 183 proposed to require the Commissioner of Inland Fisheries and Wildlife to define by rule "indigenous" as it pertains to plant and animal species. The proposed bill would give that definition priority over any other definition of "indigenous" referring to a plant or animal in law or rule.