

# MAINE STATE LEGISLATURE

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*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  
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Rep. Robert A. Daigle  
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Rep. Kimberley C. Rosen*

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Maine State Legislature

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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 826**                      **An Act To Require That the Department of Environmental Protection Consider Economic Impact When Adopting Environmental Regulations**                      **ONTP**

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

LD 826 proposed to require that, in adopting, amending and enforcing rules under the Maine Revised Statutes, Title 38, the Department of Environmental Protection and the Board of Environmental Protection consider the economic impact of those rules on the landowners' livelihoods.

**Committee Amendment "A" (H-144)**, the minority report of the committee, proposed to add an appropriation and allocation section. This amendment was not adopted.

**LD 852**                      **Resolve, To Require the Department of Environmental Protection to Undertake Phosphorus Control in Toothaker Pond in Phillips**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WOODCOCK	OTP-AM	H-192

LD 852 proposes to direct the Department of Environmental Protection to clean up Toothaker Pond in Phillips.

**Committee Amendment "A" (H-192)** replaces the bill and proposes to direct the Department of Environmental Protection to undertake phosphorus control in Toothaker Pond in Phillips and proposes to appropriate \$50,000 for that purpose.

LD 852 was carried over on the Special Appropriations Table by S. P. 640 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 854**                      **An Act To Ban the Distribution of Children's Products That Contain Mercury Batteries**                      **ONTP**

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

LD 854 proposed to ban, after January 1, 2007, the sale in this State of children's novelties that contain mercury batteries, such as light-up games, cards and adornments.