

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Augusta, Maine
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Protection in consultation with the Institute for Quaternary and Climate Studies at the University of Maine shall develop for submission to the Second Regular Session of the 120th Legislature no later than December 31, 2001 a plan to collect data, conduct research and communicate information about climate change impacts in Maine. The climatologist at the institute is designated as the "Maine State Climatologist" and shall work cooperatively with the Department of Environmental Protection and other relevant state agencies. The Department of Environmental Protection shall assist with the coordination of and shall provide support for activities related to data collection and dissemination of information to the public and the private sector. The responsibilities of the Maine State Climatologist, with the assistance of and in consultation with the department, include:

1. The design and development of a statewide environmental monitoring network to detect changes in key environmental conditions related to climate. The program must be designed to increase public awareness of climate-related phenomena and to identify actions that may be taken to lower risks of climate change and its effects on public health and welfare. When practical the program must involve schools in collecting data. The information developed by the program must be available to the public and organized in a manner to help businesses, natural resource managers, farmers and governmental agencies plan for future effects of climate change; and

2. Evaluating for this State the following:

A. Past climate patterns and trends both historical and prehistorical, including geological evidence and sea-level and coastal environmental changes;

B. Biotic responses to climate change; and

C. Variability in physical conditions, including, but not limited to, frequency and severity of storms, levels of precipitation and seasonal temperature fluctuations, attributable to climate change.

As part of the plan submitted pursuant to this section, the Department of Environmental Protection shall identify a process for collecting and reporting statewide emissions of greenhouse gases on a regular basis. The department shall also develop and maintain a voluntary registry of actions taken subsequent to 1989 by persons or corporations to control emissions of greenhouse gases, including the sequestration of carbon that otherwise might have been released as carbon dioxide.

See title page for effective date.

CHAPTER 29

H.P. 994 - L.D. 1331

Resolve, to Establish a Model Building Rehabilitation Code for the State

Sec. 1. Maine building rehabilitation code. Resolved: That the State Planning Office shall develop a model Maine building rehabilitation code, referred to in this resolve as the "model code." The purpose of the model code is to encourage the rehabilitation of existing buildings; and be it further

Sec. 2. Maine Building Rehabilitation Code Advisory Council. Resolved: That the Maine Building Rehabilitation Code Advisory Council, referred to in this resolve as the "advisory council," is established to assist the State Planning Office in the development of the model code. The advisory council is composed of 17 members as follows:

1. The Director of the State Planning Office, or the director's designee;

2. The State Fire Marshal, or the fire marshal's designee;

3. The Commissioner of Economic and Community Development, or the commissioner's designee;

4. The Director of the Maine Historic Preservation Commission, or the director's designee; and

5. Thirteen members appointed by the Governor, including:

A. Two representatives of the building trades who are directly involved or have experience in code setting or enforcement, including plumbers; electricians; heating, ventilation, air conditioning and refrigeration contractors; and boiler operators;

B. An architect practicing in the State whose practice involves a significant portion of rehabilitation projects;

C. A professional engineer;

D. A contractor specializing in rehabilitation construction;

E. Two representatives of municipal government;

F. A commercial or industrial building owner or developer;

G. A multifamily building owner or developer;

- H. A local fire official;
- I. A local building code official;
- J. A certified interior designer; and
- K. A representative of a statewide organization of building officials and inspectors; and be it further

Sec. 3. Duties. Resolved: That the State Planning Office shall:

1. Develop a model code with assistance from the advisory council;
2. Develop options for providing fiscal incentives for municipalities to adopt the model code; and
3. Provide technical assistance and training in connection with the model code, to the extent funding is available; and be it further

Sec. 4. Completion date; report. Resolved: That the State Planning Office, with assistance from the advisory council, shall complete the development of the model code by January 15, 2002. The State Planning Office shall report to the Joint Standing Committee on Natural Resources by February 15, 2002 with the results of the model code development. The report must also include options to provide fiscal incentives for municipalities to adopt the model code and draft legislation necessary to implement any recommendations.

See title page for effective date.

CHAPTER 30

S.P. 413 - L.D. 1357

Resolve, to Study the Statutes Pertaining to Funeral Homes, Crematories and Cemeteries

Sec. 1. Working group. Resolved: That the Department of Professional and Financial Regulation, the Department of Human Services and the Department of Environmental Protection shall share equally within their budgeted resources to create a working group to review the laws pertaining to crematories and cemeteries and, where related, funeral homes. In appointing working group members, the departments shall include:

1. A representative of the Maine Funeral Directors Association;
2. A representative of the Associated Independent Family Funeral Homes of Maine;

3. Two representatives of the Maine Cemetery Association, one representing crematories and one representing cemeteries;

4. A representative of the Memorial Society of Maine;

5. Members of the State Board of Funeral Service;

6. The Commissioner of Human Services or the commissioner's designee;

7. The Commissioner of Environmental Protection or the commissioner's designee;

8. The Chief Medical Examiner or the medical examiner's designee; and

9. Two consumers who are not members of the Memorial Society of Maine; and be it further

Sec. 2. Review of laws; meetings. Resolved: That the working group established under section 1 shall review the laws pertaining to crematories and cemeteries and, where related, funeral homes in order to make recommendations on updating the laws to make them more reflective of the changing needs of Maine families. In addition, the working group shall study the laws governing prearranged funerals. The working group may not hold more than 4 meetings; and be it further

Sec. 3. Recommendations; authorization to report out legislation. Resolved: That the working group established under section 1 shall make its recommendations to the Joint Standing Committee on Business and Economic Development by March 15, 2002. The Joint Standing Committee on Business and Economic Development may report out legislation on the working group's recommendations to the Second Regular Session of the 120th Legislature.

See title page for effective date.

CHAPTER 31

H.P. 1252 - L.D. 1700

Resolve, to Encourage State Monitoring and Management of Conservation Easements

Sec. 1. Pooling of resources for monitoring and management of conservation easements. Resolved: That the Department of Inland Fisheries and Wildlife, the Department of Conservation, the Department of Agriculture, Food and Rural Resources and the Atlantic Salmon Commission are encouraged to pool existing resources for the purpose