

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION
July 29, 2005

SECOND REGULAR SESSION
January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 23, 2006

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

Penmor Lithographers
Lewiston, Maine
2006

CHAPTER 172**H.P. 1461 - L.D. 2066****Resolve, Regarding Legislative Review of Portions of Chapter 1.03: Waters of Special Significance, a Major Substantive Rule of the Department of Inland Fisheries and Wildlife**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 1.03: Waters of Special Significance, a provisionally adopted major substantive rule of the Department of Inland Fisheries and Wildlife that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective April 7, 2006.

CHAPTER 173**H.P. 653 - L.D. 934****Resolve, To Direct the Department of Conservation, Bureau of Parks and Lands To Lease Certain Public Reserved Lands to the Town of Allagash**

Sec. 1. Director of Bureau of Parks and Lands to enter into lease agreement with Town of Allagash. Resolved: That, with the approval of the Town of Allagash, the Director of the Bureau of Parks and Lands within the Department of Conservation shall lease to the Town of Allagash the right to manage timber on 4 parcels of land located in the Town of Allagash. The parcels of land to be leased are those lots that were designated as ministerial and school lots for Allagash Plantation and transferred to the State for management as public reserved lands in accordance with Public Law 1973, chapter 628 prior to the incorporation of Allagash Plantation as the Town of Allagash in accordance with Private and Special Law 1975, chapter 62.

The director and the Town of Allagash shall enter into a lease agreement in accordance with the Maine Revised Statutes, Title 12, section 1852, subsection 8 and upon terms negotiated between the bureau and the town.

See title page for effective date.

CHAPTER 174**H.P. 1381 - L.D. 1971****Resolve, Directing a Review of Clean-up and Minimization Standards for Mold**

Sec. 1. Review by Department of Environmental Protection and Department of Health and Human Services, Maine Center for Disease Control and Prevention. Resolved: That the Department of Environmental Protection and the Department of Health and Human Services, Maine Center for Disease Control and Prevention, jointly referred to in this resolve as "the departments," shall convene a working group to review issues regarding mold in buildings in the State. Membership in the working group must include representatives of the Department of Administrative and Financial Services, Bureau of General Services, the Department of Education and the Department of Labor as well as the departments. The departments shall invite representatives of the following interested parties to participate as members of the working group: the Maine Indoor Air Quality Council, an environmental laboratory, the building and construction industry and other interested parties as determined by the departments; and be it further

Sec. 2. Issues to be reviewed. Resolved: That the departments shall include in the review under section 1 the following: