

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

August 2001

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

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. 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).

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 **September 21, 2001**.

David E. Boulter, Director
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Joint Standing Committee on Natural Resources

LD 1409

An Act to Address the Health Effects of Mercury Fillings

PUBLIC 385

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH STANLEY	OTP-AM MAJ OTP-AM MIN	S-278

LD 1409 proposed, as a concept draft, to amend the law to address the health effects of mercury fillings.

Committee Amendment "A" (S-278), the majority report of the Joint Standing Committee on Natural Resources, proposed to require the Director of the Bureau of Health within the Department of Human Services to develop and adopt, through major substantive rulemaking, a brochure that explains the potential advantages and disadvantages of mercury amalgam and alternative materials used in dental procedures and a poster informing patients of the availability of the brochure. The amendment also proposed that a dentist who uses mercury amalgam in dental procedures be required, after July 1, 2002, to display the poster in the public waiting area of that dentist's office and to provide each patient with a copy of the brochure. The amended proposed that the brochure and the poster be developed in consultation with the Department of Environmental Protection.

Committee Amendment "B" (S-279), the minority report of the Joint Standing Committee on Natural Resources, proposed to prohibit dentists from knowingly using mercury or a mercury amalgam in any dental procedure involving a person 8 years of age or younger or a woman who is pregnant.

Enacted law summary

Public Law 2001, chapter 385 requires the Director of the Bureau of Health within the Department of Human Services to develop and adopt, through major substantive rulemaking, a brochure that explains the potential advantages and disadvantages of mercury amalgam and alternative materials used in dental procedures and a poster informing patients of the availability of the brochure. A dentist who uses mercury amalgam in dental procedures is required, after July 1, 2002, to display the poster in the public waiting area of that dentist's office and to provide each patient with a copy of the brochure. The brochure and the poster are required to be developed in consultation with the Department of Environmental Protection.

LD 1429

Resolve, to Assess the Consequences of Climate Change in the State

RESOLVE 28

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN SAWYER	OTP-AM	H-230

LD 1429 proposed to require the Department of Environmental Protection, in consultation with the Institute for Quaternary and Climate Studies at the University of Maine, to develop for submission to the Second Regular Session of the 120th Legislature no later than January 1, 2002 a plan for establishing the position of Maine State Climatologist within the institute to be funded through legislative appropriation and whose activities must be coordinated with and supported by the department.

Joint Standing Committee on Natural Resources

Committee Amendment "A" (H-230) proposed to remove the provision from the resolve that created a position of State Climatologist to be funded from the General Fund and instead designate the climatologist at the Institute for Quaternary and Climate Studies at the University of Maine as the "Maine State Climatologist."

Enacted law summary

Resolve 2001, chapter 28 designates the climatologist at the Institute for Quaternary and Climate Studies at the University of Maine as the "Maine State Climatologist" and directs the Maine State Climatologist to design and develop 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. 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. The law also directs the Department of Environmental Protection to identify a process for collecting and reporting statewide emissions of greenhouse gases on a regular basis and to 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.

LD 1449

**An Act to Ensure Municipal Authority over Sludge and Septage
Land Spreading Sites**

PUBLIC 247

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER KILKELLY	OTP-AM	H-302

LD 1449 proposed to allow a municipality to enact stricter standards than the standards adopted by the Department of Environmental Protection for the land spreading of sludge and septage, provided the governing body of the municipality voted in favor of the stricter standards, and the municipality provided for alternative disposal for all sludge or septage generated within that municipality.

Committee Amendment "A" (H-302) replaced the original bill. It proposed to require the Department of Environmental Protection to develop guidance to municipalities regarding the regulation of septage and sludge land application and also required the department to report on the status of that guidance by January 30, 2002. The amendment also clarified that septage is excluded from the definition of solid waste. It also added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 247 requires the Department of Environmental Protection to develop guidance to municipalities regarding the regulation of septage and sludge land application and also requires the department to report on the status of that guidance by January 30, 2002. It also clarifies that septage is excluded from the definition of solid waste.