

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

May 2002

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Maine State Legislature
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120th Legislature
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Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
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statutory definition by January 1, 2006. A definition filed at the registry of deeds must be collected and indexed in a separate book in the registry of deeds. Chapter 651 also removes the 40-acre lot exemption to the definition of "subdivision," except that a municipality may affirmatively elect not to count 40-acre lots as lots for purposes of subdivision review.

LD 2140

Resolve, Regarding Legislative Review of Chapter 296: Patient Brochure and Poster on Dental Amalgam and Alternatives, a Major Substantive Rule of the Department of Human Services

RESOLVE 125

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1046 S-628 MARTIN

LD 2140 provides for legislative review of Chapter 296: Patient Brochure and Poster on Dental Amalgam and Alternatives, a major substantive rule of the Department of Human Services.

Committee Amendment "A" (H-1046) proposed to authorize the adoption of a major substantive rule proposed by the Bureau of Health regarding a brochure and poster on dental amalgam and alternatives, provided that certain changes are made to the poster and the rule.

The changes to the poster clarify that the law requires dentists to provide the brochure to their patients. The changes to the rule clarify the text of the brochure to incorporate recommendations made by the Bureau of Health.

The amendment also proposed to clarify that the Board of Dental Examiners is to print and distribute the brochure and poster and directs the State Treasurer to transfer \$50,000 from the Maine Rainy Day Fund to the board to fund the initial printing and distribution of the brochure and poster. The Board of Dental Examiners is required, using fees charged for the poster and brochure, to repay the Maine Rainy Day Fund for all costs associated with the transfer within 2 years.

The amendment also proposed to allow the Director of the Bureau of Health to make changes to the poster or brochure for the purpose of inserting or changing graphics or for improving readability and comprehensibility without requiring that those changes be reviewed by the Legislature as revisions to a major substantive rule.

House Amendment "A" to Committee Amendment "A" (H-1099) proposed to change the funding source for the brochure and poster from the Maine Rainy Day Fund to the Fund for a Healthy Maine.

House Amendment "B" to Committee Amendment "A" (H-1103) proposed to change the funding source for the brochure and poster from the Maine Rainy Day Fund to the Fund for a Healthy Maine. The amendment also removes the emergency preamble and emergency clause.

Senate Amendment "A" to Committee Amendment "A" (S-582) proposed to remove the emergency preamble and emergency clause from the resolve and changes the funding source.

Senate Amendment "B" to Committee Amendment "A" (S-608) proposed to remove the emergency preamble and emergency clause.

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Senate Amendment "C" to Committee Amendment "A" (S-610) proposed to provide that final adoption of Chapter 296: Patient Brochure and Poster on Dental Amalgam and Alternatives, a provisionally adopted major substantive rule of the Department of Human Services, is not authorized.

Senate Amendment "D" to Committee Amendment "A" (S-627) proposed to modify the requirements for printing and distribution of the brochure and poster. It requires that the Bureau of Health within the Department of Human Services distribute a copy of the brochure and poster to each dentist in the State and requires the bureau to make a copy of the brochure suitable for downloading and printing available on its publicly accessible site on the Internet.

Senate Amendment "E" to Committee Amendment "A" (S-628) proposed to incorporate the substance of Senate Amendment "D" to Committee Amendment "A" (S-627), and in addition, it remove the emergency preamble and emergency clause.

Enacted law summary

Resolve 2001, chapter 125 authorizes the adoption of Chapter 296, a major substantive rule proposed by the Bureau of Health regarding a brochure and poster on dental amalgam and alternatives, provided that certain changes are made to the poster and the rule. The Resolve requires the Bureau of Health to print and distribute a copy of the brochure and poster to each dentist in the state and it requires the bureau to make a copy of the brochure suitable for downloading and printing available on its publicly accessible site on the Internet.

LD 2145

An Act to Include all State-supported Institutions of Higher Education in the Clean Government Initiative

PUBLIC 695

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER TREAT	OTP-AM	H-1047

LD 2145 proposed to expand the Clean Government Initiative to apply to the University of Maine System, the Maine Maritime Academy and the Maine Technical College System. Under current law, the Clean Government Initiative assists state agencies in meeting applicable environmental compliance requirements and incorporating environmentally sustainable practices into state government functions.

Committee Amendment "A" (H-1047) proposed to add the Chancellor of the University of Maine System and the President of the Maine Technical College System to the directors of the Clean Government Initiative and provides for a schedule of reporting on the progress of the state-supported institutions of higher learning towards complying with the goals of the initiative. It also proposed to require the state-supported institutions of higher learning to utilize existing budgeted resources to meet the requirements of the initiative, except that the University of Maine System is not expected to expend more than \$300,000 of its existing budgeted resources to meet the provisions regarding auditing for compliance with state and federal environmental laws. Additional funds needed to comply with those audit provisions, in excess of the first \$300,000 of existing budgeted resources, must be requested by the Chancellor of the University of Maine System in the biennial report of the directors of the initiative.

Enacted law summary