

# 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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120th Legislature
Second Regular Session

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 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.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

## Joint Standing Committee on Natural Resources

**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*

## Joint Standing Committee on Natural Resources

Public Law 2001, chapter 695 expands 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. The law also requires 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.

**LD 2155**

**An Act Pertaining to Environmental Fines**

**ONTP**

Sponsor(s)

Committee Report

Amendments Adopted

ONTP

LD 2155 proposed to repeal all provisions in Maine law that explicitly required or allowed penalties from various environmental violations to be dedicated to specific funds. Specifically, the bill proposed to:

1. Repeal the provisions that required environmental penalties to be deposited into the Maine Coast Environmental Trust Fund;
2. Repeal the provisions that required air pollution penalties to be deposited into the Clean Fuel Vehicle Fund;
3. Repeal the provisions that required penalties from oil discharge violations to be deposited into the Maine Coastal and Inland Surface Oil Clean-up Fund or the Ground Water Oil Clean-up Fund and specified that such penalties would go to the General Fund; and
4. Repeal, on July 1, 2003, the provisions that required penalties from hazardous waste violations to be deposited into the Maine Hazardous Waste Fund and specified that such penalties would go to the General Fund.

**LD 2176**

**An Act to Ensure Consistent Regulation of Air Emissions in the State**

**ONTP**

Sponsor(s)

Committee Report

Amendments Adopted

DAIGLE  
PENDLETON

ONTP

LD 2176 proposed to ensure that the State maintained a consistent, coordinated, statewide program for the regulation of air emissions sources. The bill also proposed to provide the Board of Environmental Protection with the authority to establish appropriate license conditions to address unique local conditions identified by municipalities.