

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Natural Resources*

*August 2005*

**Members:**

*Sen. Scott W. Cowger, Chair  
Sen. John L. Martin  
Sen. Lois A. Snowe-Mello*

*Rep. Theodore S. Koffman, Chair  
Rep. Joanne T. Twomey  
Rep. Thomas B. Saviello  
Rep. Judd D. Thompson  
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Rep. Henry L. Joy  
Rep. James D. Annis  
Rep. Kimberley C. Rosen*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## *Joint Standing Committee on Natural Resources*

**LD 1058**

**An Act To Regulate the Use of Batteries Containing Mercury**

**CARRIED OVER**

|                                       |                         |                           |
|---------------------------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u><br>COWGER<br>TWOMEY | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------------------------|-------------------------|---------------------------|

LD 1058 proposes to ban, after January 1, 2007, the sale in this State of novelties that contain batteries that contain mercury, such as light-up games, cards and adornments. In addition, this bill proposes to ban the disposal, after January 1, 2007, of button cell batteries in landfills and incinerators and proposes to require that such batteries be packaged with information regarding proper disposal. LD 1058 was carried over by H. P. 1203 to any special or regular session of the 122nd Legislature.

**LD 1071**

**Resolve, To Conform Oil Tank Piping Leakage Detection Standards to Federal Law**

**ONTP**

|                                      |                                 |                           |
|--------------------------------------|---------------------------------|---------------------------|
| <u>Sponsor(s)</u><br>BRYANT-DESCHENE | <u>Committee Report</u><br>ONTP | <u>Amendments Adopted</u> |
|--------------------------------------|---------------------------------|---------------------------|

LD 1071 proposed to require the Department of Environmental Protection to ensure that oil tank and associated piping leakage detection levels required by the State are not more stringent than those required under federal law and regulations.

**LD 1076**

**Resolve, To Grant the Town of Alton Automatic Intervenor Status**

**RESOLVE 74**

|                                         |                                   |                                    |
|-----------------------------------------|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u><br>DUCHESNE<br>COWGER | <u>Committee Report</u><br>OTP-AM | <u>Amendments Adopted</u><br>H-490 |
|-----------------------------------------|-----------------------------------|------------------------------------|

LD 1076 proposed to direct the Executive Department, State Planning Office to grant the Town of Alton status as host community to the West Old Town Landfill if an event occurs that increases the likelihood of financial or environmental impact to the Town of Alton.

**Committee Amendment "A" (H-490)** changed the title and replaced the resolve. The amendment proposed to direct the Department of Environmental Protection to grant the Town of Alton automatic intervenor status if an application for an expansion permit is filed by the Executive Department, State Planning Office for the West Old Town Landfill and if the Town of Alton requests automatic intervenor status.

### *Enacted law summary*

Resolve 2005, chapter 74 directs the Department of Environmental Protection to grant the Town of Alton automatic intervenor status if an application for an expansion permit is filed by the Executive Department, State Planning Office for the West Old Town Landfill and if the Town of Alton requests automatic intervenor status.