

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*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  
Rep. Robert S. Duchesne  
Rep. Jane E. Eberle  
Rep. Robert A. Daigle  
Rep. Henry L. Joy  
Rep. James D. Annis  
Rep. Kimberley C. Rosen*

**Staff:**

*Susan Z. Johannesman, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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*

4. It amends the operating standards for automobile graveyards and junkyards to require that a facility seeking a permit must be actively engaged in the business of salvaging, recycling, dismantling, processing, repairing or rebuilding junk or vehicles for the purpose of sale or trade.
5. It authorizes towns and counties to issue permits to automobile graveyards and junkyards if they meet certain operating standards.
6. It provides that the operating standards set out in current law are conditions of each permit issued.
7. It adds to the cost of a permit for a graveyard or junkyard the cost of posting and publishing notice of hearing that a town or county must provide.
8. It requires towns or counties to provide notice of hearing to the Bureau of Motor Vehicles regarding hearings for revocation or suspension of a permit.

**LD 1304**

**An Act Concerning Invasive Species and Water Quality Standards**

**PUBLIC 182**

Sponsor(s)  
SAVIELLO

Committee Report  
OTP-AM

Amendments Adopted  
H-245

LD 1304 proposed to amend water quality standards to allow the Department of Environmental Protection to approve aquatic chemical or pesticide discharges for the purpose of restoring biological communities affected by invasive species, for Class AA, A, B and C waters, for tributaries to GPA waters and in drainage areas of less than 10 square miles. It proposed to add similar authority for GPA waters and proposed to clarify text. It proposed to allow the Department of Environmental Protection to approve a chemical treatment to waters with a drainage area of less than 10 miles for the purpose of restoring water quality in GPA waters and it proposed to add a definition of "invasive species" to the water classification program.

**Committee Amendment "A" (H-245)** proposed to incorporate a fiscal note.

***Enacted law summary***

Public Law 2005, chapter 182 amends water quality standards to allow the Department of Environmental Protection to approve aquatic chemical or pesticide discharges for the purpose of restoring biological communities affected by invasive species, for Class AA, A, B and C waters, for tributaries to GPA waters and in drainage areas of less than 10 square miles. It adds similar authority for GPA waters and clarifies text. It allows the Department of Environmental Protection to approve a chemical treatment to waters for the purpose of restoring water quality in GPA waters. It also adds a definition of "invasive species" to the water classification program.

**LD 1327**

**An Act To Prohibit the Use of Mercury Fillings**

**CARRIED OVER**

Sponsor(s)  
MARTIN

Committee Report

Amendments Adopted

*Joint Standing Committee on Natural Resources*

LD 1327 proposes to require the elimination of mercury in dental offices over a 3-year period and to require dental schools to include in their curricula by January 2006 the risks of exposure to mercury. The bill also proposes to require a dental office to post in the office the disclosure statement published by the Department of Health and Human Services, Bureau of Health on the risks of having mercury fillings. LD 1327 was carried over by H. P. 1203 to any special or regular session of the 122nd Legislature.

**LD 1338                      An Act To Limit Human Exposure to Mercury                      CARRIED OVER**

<u>Sponsor(s)</u> DAMON		<u>Committee Report</u>		<u>Amendments Adopted</u>
----------------------------	--	-------------------------	--	---------------------------

LD 1338 proposes to:

1. Require the elimination of mercury in dental offices over a 3-year period;
2. Require dental schools to include in their curricula by January 2006 the risks of exposure to mercury;
3. Require a dental office to post in the office the disclosure statement published by the Department of Health and Human Services, Bureau of Health on the risks of having mercury fillings;
4. Require the Department of Environmental Protection to develop an education, outreach and assistance program for dentists;
5. Require dentists to file an annual report with the department describing the quantities of mercury amalgam purchased, used and recycled from dry sources and wet sources;
6. Require the Department of Environmental Protection to establish rules for dental offices to limit mercury releases;
7. Establish a penalty in the amount of not less than \$10,000 nor more than \$100,000 for a violation; and
8. Require the Department of Environmental Protection to conduct a septic system study concerning the impact of dental mercury releases in rural areas.

LD 1338 was carried over by H. P. 1203 to any special or regular session of the 122nd Legislature.

**LD 1408                      Resolve, Directing the Air Toxics Advisory Committee To Review                      RESOLVE 84**  
**the Status of Toxic Emissions from Waste-to-energy Facilities in**  
**the State and Recommend Actions Aimed at Reducing and**  
**Monitoring These Emissions**

<u>Sponsor(s)</u> KAELIN WESTON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-374
---------------------------------------	--	-----------------------------------	--	------------------------------------