

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**September 5, 1996 to September 7, 1996**

**ONE HUNDRED AND EIGHTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 1996 to March 27, 1997**

**FIRST SPECIAL SESSION**  
**March 27, 1997 to June 20, 1997**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 26, 1997**

**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 1997**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1997**

any other provision of law, the Town of Southwest Harbor may issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$800,000 for an additional period not to exceed 2 years for the purpose of refinancing a certain outstanding temporary note originally issued in November 1994 in that amount to finance the water project for the Town of Southwest Harbor, subsequently reissued in 1995 and 1996, and further that the 3-year limitation regarding temporary or anticipatory borrowing contained in Title 30-A, section 5772 must be extended to 5 years for the Town of Southwest Harbor water project.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 28, 1997.

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## CHAPTER 41

S.P. 580 - L.D. 1745

### **Resolve, to Direct the Land and Water Resources Council to Develop a Report and Proposed Actions to Control Mercury Emissions and Discharges**

**Emergency preamble.** Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the 116th Legislature established the Land and Water Resources Council, in part to study specific water resource management issues and problems of statewide significance and formulate policies that achieve the goal of protecting the quality of Maine's water resources; and

**Whereas,** mercury is a persistent, bioaccumulative and highly toxic metal that is found in air emissions and water discharges from various facilities both within Maine and beyond its borders; and

**Whereas,** mercury contamination from discharge and deposition has caused fish consumption advisories in Maine water; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Report and recommendations. Resolved:** That the Land and Water Resources

Council shall develop a long-range strategy to evaluate and reduce the levels and sources of mercury contamination affecting Maine's environment. The council shall seek the advice and support of the Maine Environmental Priorities Project, Legislators, the Federal Environmental Protection Agency and other groups in completing this task. The strategy includes, but is not limited to, the following:

1. A description of the levels and locations of mercury contamination that are known or suspected to exist in Maine's environment;

2. A survey of sources and quantities of mercury discharged to or deposited into Maine's natural resources. This survey should include both in-state and out-of-state sources and estimates of relative contribution;

3. Recommendations for further data acquisition, if necessary; and

4. Recommendations for regulatory, legislative, pollution prevention or technical assistance actions to reduce mercury contamination; and be it further

**Sec. 2. Report. Resolved:** That the evaluation and recommendations of the Land and Water Resources Council on mercury be part of its annual report to the joint standing committee of the Legislature having jurisdiction over natural resource matters. The council shall report its initial evaluation and recommendations as part of its January, 1998 annual report; and be it further

**Sec. 3. Legislation. Resolved:** That the Joint Standing Committee on Natural Resources may report out legislation regarding the reduction of mercury emissions and discharges to the Second Regular Session of the 118th Legislature.

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 30, 1997.

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## CHAPTER 42

S.P. 336 - L.D. 1114

### **Resolve, to Extend the Protections against Spousal Impoverishment under the Medicaid Program**

**Emergency preamble.** Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and