

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

"the fund," is established as a nonlapsing Other Special Revenue Funds account administered by the Maine Arts Commission. The fund consists of gifts, grants or other sources of revenues deposited for the purposes described in subsection 2. The fund must be held separate from all other money, funds and accounts.

**2. Fund purpose.** The purpose of the fund is to provide funds to nonprofit public agencies and schools in the State to reimburse the State Poet Laureate for the cost of travel and related expenses associated with bringing the services of the State Poet Laureate to the community. The Maine Arts Commission shall administer the fund and develop guidelines and procedures to make the services of the State Poet Laureate available to any nonprofit public agency and school in the State.

**3. Application process.** The Maine Arts Commission shall establish an application process for fund requests for the purposes set forth in this section.

**4. Promotion.** The Maine Arts Commission shall promote the availability of the fund through its various avenues of communication, including its publicly accessible site on the Internet.

**Sec. 2. Review.** The Maine Arts Commission shall conduct a review of the process associated with a school's or a nonprofit public agency's applying for and obtaining funds from the State Poet Laureate Reimbursement Fund, established in the Maine Revised Statutes, Title 27, section 424, after the process has been in place for 3 years and make any necessary adjustments by September 30, 2006. The commission may submit to the Legislature any legislation necessary to implement recommendations resulting from the review.

See title page for effective date.

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## CHAPTER 301

H.P. 514 - L.D. 697

### An Act To Require the Installation of Dental Amalgam Separator Systems in Dental Offices

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 38 MRSA §1661, sub-§§1-A and 1-B** are enacted to read:

**1-A. Amalgam separator system.** "Amalgam separator system" means a device that removes dental amalgam from the waste stream prior to its discharge into either the local public wastewater system or a

private septic system located at the dental facility and that meets a minimum removal efficiency of 95% if installed prior to March 20, 2003 or 98% if installed on or after March 20, 2003, as determined through testing in accordance with standards contained in "ISO 11143, Dental Equipment - Amalgam Separators," published by the International Organization for Standardization, in effect on the date the system is installed.

**1-B. Dental amalgam.** "Dental amalgam" means a mixture of silver and mercury used to restore dental integrity.

**Sec. 2. 38 MRSA §1667**, as enacted by PL 1999, c. 779, §2, is repealed and the following enacted in its place:

#### **§1667. Dental procedures**

**1. Prevention plan.** By July 15, 2002, the department shall work with dentists and other interested parties to develop a pollution prevention plan for mercury from dental procedures that provides for reasonable measures to reduce mercury pollution from dental procedures and related sources. The plan must include options and strategies for implementing source reduction.

**2. Dental office defined.** For purposes of this section, "dental office" means any dental clinic, dental office or dental practice, but does not include the practice of oral and maxillofacial surgery.

**3. Amalgam separator system required.** No later than December 31, 2004, a dental office that, in the course of treating its patients, adds, removes or modifies dental amalgam must install an amalgam separator system in the wastewater line in accordance with the following:

A. Wastewater containing dental amalgam particles must pass through the amalgam separator system prior to discharge to either a publicly owned treatment works or a private septic or waste disposal system, and waste containing dental amalgam must be collected from the amalgam separator system and disposed of in a manner satisfactory to the department;

B. Once the amalgam separator system has been installed, the dental office must notify the department in writing:

(1) Of the type of system installed;

(2) That the system is certified as meeting the standards required in accordance with section 1661, subsection 1-A;

(3) Of the date upon which the system became operational; and

(4) Of the method of disposing of the material after removal from the separator system.

If the amalgam separator system is connected to a publicly owned treatment works, the dental office shall provide the same notification to the director or chief engineer of that facility;

C. Installation, operation and maintenance of an approved amalgam separator system by a dentist in accordance with manufacturer's recommendations must fulfill the requirements of this section. A dentist must demonstrate proper operation and maintenance by maintaining, for a period of 3 years, all shipping records for replacement filters sent to licensed recyclers and written documentation that demonstrates that the system has been properly inspected and maintained; and

D. The department, after receiving proper notification of the installation of the amalgam separator system and after being satisfied that it meets the requirements of this section, must provide the dentist or the dental practice with written confirmation of receipt of evidence of compliance with this section in a format suitable for display by the dental office.

See title page for effective date.

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## CHAPTER 302

### H.P. 489 - L.D. 659

#### An Act To Standardize Reporting Requirements for State Party Committees' Expenditures and Contributions

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 21-A MRSA §1014, sub-§2**, as enacted by PL 1985, c. 161, §6, is amended to read:

**2. Not authorized by candidate.** If the communication described in subsection 1 is not authorized by a candidate, a candidate's authorized political committee or their agents, the communication must clearly and conspicuously state that the communication is not authorized by any candidate and state the name and address of the person who made or financed the expenditure for the communication. If the communication is in written form, the communication must contain at the bottom of the communication in 10-point bold print, Times New Roman font, the

words "NOT PAID FOR OR AUTHORIZED BY ANY CANDIDATE."

**Sec. 2. 21-A MRSA §1017-A, sub-§4**, as enacted by PL 1991, c. 839, §23 and affected by §33, is repealed.

**Sec. 3. 21-A MRSA §1017-A, sub-§4-A** is enacted to read:

**4-A. Filing schedule.** A state party committee shall file its reports according to the following schedule.

A. Quarterly reports must be filed:

(1) On January 15th and must be complete up to January 5th;

(2) On April 10th and must be complete up to March 31st;

(3) On July 15th and must be complete up to July 5th; and

(4) On October 10th and must be complete up to September 30th.

B. General and primary election reports must be filed:

(1) On the 6th day before the date on which the election is held and must be complete up to the 12th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date.

C. Reports of spending to influence special elections, referenda, initiatives, bond issues or constitutional amendments must be filed:

(1) On the 6th day before the date on which the election is held and must be complete up to the 12th day before that date; and

(2) On the 42nd day after the date on which the election is held and must be complete up to the 35th day after that date.

D. A state party committee that files an election report under paragraph B or C is not required to file a quarterly report under paragraph A when the deadline for that quarterly report falls within 10 days of the filing deadline established in paragraph B or C.

E. A state party committee shall report any expenditure of \$500 or more, made after the 12th