

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

Sec. 1. Town of Eustis authorized to exchange parcel of land. Resolved: That, notwithstanding the Maine Revised Statutes, Title 13, chapter 93, subchapter 5, the Town of Eustis may exchange a parcel of land owned by the Town of Eustis for a parcel of land owned by SP Forests, LLC.

See title page for effective date.

CHAPTER 123

S.P. 741 - L.D. 1895

Resolve, To Reduce the State Valuation for the Town of East Millinocket

Sec. 1. State valuation for Town of East Millinocket. Resolved: That, notwithstanding the filing deadline set forth in the Maine Revised Statutes, Title 36, section 208-A, the Town of East Millinocket may request a reduction in its state valuation under Title 36, section 208-A for the year 2004 based on the reduction in value of the former Great Northern Paper mill in the town during its bankruptcy proceedings and before its sale to Katahdin Paper Company, LLC.

See title page for effective date.

CHAPTER 124

S.P. 733 - L.D. 1887

Resolve, To Reduce the State Valuation for the Town of Lincoln

Sec. 1. State valuation for Town of Lincoln. Resolved: That, due to the sudden and severe disruption of valuation caused by the bankruptcy of Eastern Pulp and Paper Co., notwithstanding the filing deadline set forth in the Maine Revised Statutes, Title 36, section 208-A, the Town of Lincoln may request a reduction in its state valuation under Title 36, section 208-A for the year 2005.

See title page for effective date.

CHAPTER 125

H.P. 1237 - L.D. 1661

Resolve, Regarding the Sale of Batteries Containing Mercury

Sec. 1. Review. Resolved: That the Department of Environmental Protection shall review the sale of batteries containing mercury. The review must include consideration of the following:

1. The amount of mercury in foreign-made batteries sold in the State and the United States, including, but not limited to, foreign-made batteries sold with a consumer product;
2. Whether stacked button cell batteries meet the mercury content specifications of the Maine Revised Statutes, Title 38, section 2165;
3. Whether Title 38, section 2165 should be amended to include other battery chemistries;
4. Whether and how button cell batteries should be collected for recycling;
5. Whether and how button cell batteries should be labeled;
6. Whether the use of button cell batteries should be prohibited in some applications, including novelties; and
7. Whether nonmercury alternatives are available and, if so, to what extent and at what cost; and be it further

Sec. 2. Report. Resolved: That the Department of Environmental Protection shall submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 14, 2005 regarding its review of the sale of batteries containing mercury.

See title page for effective date.

CHAPTER 126

H.P. 1354 - L.D. 1831

Resolve, Regarding Legislative Review of Portions of Chapter 360: Responsibilities of Manufacturers, Distributors, Dealers and Redemption Centers under the Returnable Beverage Container Law, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and