

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

Commissioner of Environmental Protection may waive this requirement for homeowners if they cannot afford the deductible. Any costs paid by the fund that exceed \$1,000,000, will be recovered from the responsible party.

Coverage for 3rd-party damage claims is expanded from current law to include all economic damages resulting from the discharge up to \$200,000 per claimant. Such an award is not an exclusive remedy.

A commercial risk pool account also is created within the fund as part of this amendment. This account would cover the first \$100,000 of any 3rd-party damage claims resulting from a leak from any bare steel tanks not cathodically protected in commercial use. Owners of these tanks are required to pay an increased registration fee in addition to being liable for increased assessments if the fund is not sufficient to cover all the eligible costs.

A house amendment (H-1071) made technical corrections to the bill.

LD 1822 **An Act to Provide for a Clear Definition of the High-water Mark of Artificial Bodies of Water** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK H PRAY	LV/WD	

SUMMARY

This bill would have required the Maine Land Use Regulation Commission to establish, by rule, a definition of the high-water mark of artificial bodies of water that is distinct from the definition relating to naturally occurring bodies of water.

LD 1829 **An Act to Prohibit the Use of Herbicides in the Allagash Wilderness Waterway** **PUBLIC 637
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN J JACQUES KANY ANDERSON	OTP-AM	H-768

SUMMARY

The original bill would have prohibited the application of herbicides in the Allagash Wilderness Waterway.

The committee amendment (H-768) revises the original bill to define the term, "herbicide", fix technical errors and make violations of a ban on herbicide use subject to penalty provisions of the Pesticides Control Board. A ban on spraying herbicides within the restricted zone is added. Although this practice is banned by rule, there has never been a statutory restriction on herbicide use in the waterway. The amendment also prohibits herbicide use in the waterway outside the restricted zone prior to December 1, 1990, to allow the State time to reevaluate the use of herbicides within the waterway. LD 1874 establishes a study to evaluate herbicide use in forestry.

Finally, the amendment deletes a requirement for forest landowners to request continued treatment under the Tree Growth Tax Law for their lands before a forest management plan is completed.