

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

CARRIED OVER

ONTP

ENACTMENT FAILED

INDEF PP

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Bill carried over to Second Session

Ought Not to Pass report accepted

Bill failed to get majority vote

Bill Indefinitely Postponed

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference formed but unable to agree

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

SUMMARY

This bill would have clarified that the statutory annual dam registration fee in effect at the time a dam is registered is the annual fee that remains in effect for each year of that 5-year registration period. Under the provisions of this bill, the annual registration fees set forth in the Maine Revised Statutes, Title 38, former section 830, subsection 2, would have remained in effect for the duration of the 5-year registration period for any dam with a registration valid on the effective date of Public Law 1991, chapter 591.

This bill also would have required the Department of Environmental Protection to refund any excess dam registration fees imposed on dam owners since July 17, 1991.

LD 173 An Act Directing the Maine Low-level Radioactive Waste Authority to Commence a Technical Analysis of the Maine Yankee Site ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
MICHAUD ONTP
PEARSON

SUMMARY

This bill would have directed the Maine Low-level Radioactive Waste Authority to suspend its current site selection process and to conduct a detailed technical feasibility analysis of a storage and disposal facility for low-level radioactive waste at the site it has identified in Wiscasset, Maine.

LD 177 An Act to Amend Certain Laws Affecting Waste Discharges by Quasi-municipal Agencies PUBLIC 40

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
DUTREMBLE D OTP-AM S-32
CARON

SUMMARY

This bill would have amended the definition of "quasi-municipal" under the overboard discharge laws to allow expansions of existing overboard discharges for universities or colleges providing waste water treatment for its facilities.

Committee amendment "A" (S-32) replaces the bill. This amendment allows the Department of Environmental Protection to issue overboard discharge licenses to colleges, universities or school administrative units seeking to increase the volume or quantity of domestic pollutants discharged from its sewage facility. This amendment applies only to colleges, universities and school administrative units with overboard discharge licenses valid on the effective date of this Act.

LD 184 An Act to Prevent Clear-cutting within One Mile of a Great Pond ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
COFFMAN ONTP

SUMMARY

This bill would have prohibited clear-cutting of timber within one mile of a great pond.

LD 189 An Act to Facilitate Municipal Road Construction PUBLIC 315

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
LORD OTP-AM H-299

SUMMARY

This bill would have exempted the maintenance of roads by a municipality from permits required under the natural resource protection laws, the site location of development laws and the mandatory shoreland zoning laws, provided the municipality stayed within the bounds of the right-of-way.

Committee Amendment "A" (H-299) replaces the bill and limits the exemption to replacement of existing road culverts. Current law permits a person to replace an existing road culvert with a larger culvert without obtaining a shoreland zoning permit or a permit issued under the natural resources protection laws, provided the culvert meets certain conditions. This amendment repeals the condition that the new culvert may not be more than one standard culvert size larger than the existing culvert.

LD 206 An Act to Require Reimbursement of Fines or Penalties ONTP
Imposed on Municipalities by the Department of
Environmental Protection

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
CARON ONTP

SUMMARY

This bill would have required the Commissioner of Environmental Protection to reimburse a municipality for a civil or criminal fine or penalty imposed pursuant to Maine's environmental laws if the commissioner determines the municipality, within 2 years of the imposition of the fine or penalty, had corrected or taken corrective action to alleviate the condition that caused the fine or penalty to be imposed.

LD 207 An Act to Exempt Municipalities from Fines and Penalties ONTP
Imposed for Violations of Board of Environmental Protection
Rules

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
CARON ONTP

SUMMARY

This bill would have exempted municipalities from fines and penalties imposed for violations of rules adopted by the Board of Environmental Protection.

LD 216 An Act to Extend the Municipal Landfill Closure Mandate ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
FOSS ONTP