

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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Augusta, Maine
1979

PUBLIC LAWS
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No boundary of any public or private solid waste disposal area shall lie closer than 300 feet to any classified body of **surface** water.

If the board shall determine that soil conditions, groundwater conditions, topography or other conditions indicate that any boundary of any such area should be further than 300 feet from any classified body of **surface** water, it may, after notice to and a hearing with the affected party, order the relocation of such boundaries and the removal of any solid waste, previously deposited within the original boundaries, to the confines of the new boundaries.

Any person, corporation, municipality or state agency establishing a solid waste disposal area after September 23, 1971 may apply to the board for a determination that the boundaries of the proposed area are suitably removed from any classified body of **surface** water.

Any solid waste disposal area whose boundary is closer than 300 feet to any classified body of **surface** water shall be discontinued in conformity with this section prior to December 1, 1973.

Notwithstanding this section, if the Board of Environmental Protection shall determine from an examination of soil conditions, groundwater characteristics, climatic conditions, topography, the nature and amount of the solid waste and other appropriate factors, that the deposit of solid waste within an area less than 300 feet from any classified body of **surface** water, will not result in an unlicensed direct or indirect discharge of pollutants to such body of **surface** water, it may, after notice and hearing, permit the deposit of solid waste within such area, upon such terms and conditions as it deems necessary. Permits issued pursuant to this section shall be for a term of not more than 2 years but may be renewed for successive 2-year terms after reexamination pursuant to this chapter.

Sec. 16. 38 MRSA § 1304, sub-§ 1, 2nd sentence, as enacted by PL 1973, c. 387, is amended to read:

Such regulations shall be designed to encourage logical utilization of recoverable resources, to minimize pollution of the State's air, land ~~and water~~ **surface and ground water** resources, prevent the spread of disease or other health hazards, prevent contamination of drinking water supplies and protect public health and safety.

Effective September 14, 1979

CHAPTER 473

S. P. 585 — L. D. 1648

AN ACT to Permit the Maine State Housing Authority to Issue Certain Bonds not Backed by the Moral Obligation of the State and to Raise the Authority's Bonding Limit.

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

Sec. 1. 30 MRSA § 4761, next to last ¶, first sentence, as amended by PL 1973, c. 623, § 3, is further amended to read:

In order to assure the maintenance of the required minimum reserve in the Housing Reserve Fund and in any Capital Reserve Fund, **to which, under the resolution establishing the Capital Reserve Fund, this paragraph is stated to apply**, there shall be annually appropriated and paid to the state authority for deposits in said funds, such sum, if any, as shall be certified by the director of the state authority to the Governor as necessary to restore any such fund to an amount equal to the required minimum reserve.

Sec. 2. 30 MRSA § 4761, as last amended by PL 1973, c. 649, § 1, is further amended by adding before the last paragraph a new paragraph to read:

For any Capital Reserve Fund to which, under the resolution establishing the Capital Reserve Fund, the 3rd paragraph from the end of this section is not stated to apply, there shall be no certification by the director to the Governor or appropriation and payment by the Legislature for deposit in the fund to restore the fund to an amount equal to its required minimum reserve.

Sec. 3. 30 MRSA § 4762, as last amended by PL 1977, c. 601, is further amended to read:

§ 4762. Limitations

The state authority shall not at any time have, in the aggregate principal amount thereof outstanding, mortgage purchase bonds in excess of ~~\$225,000,000~~ **\$275,000,000** secured by the Housing Reserve Fund or a Capital Reserve Fund to which the 3rd paragraph from the end of section 4761, applies. Bonds of the state authority secured by capital reserve funds to which the 3rd paragraph from the end of section 4761 does not apply may be issued up to \$100,000,000 per calendar year in an aggregate principal amount not to exceed \$200,000,000. The proceeds from any such bonds shall be used only to purchase the following types of interest bearing obligations from financial institutions:

1. Mortgage loans insured or guaranteed by the United States. Mortgage loans insured or guaranteed by the United States or an instrumentality thereof; and
2. Privately insured mortgages. Privately insured mortgages; provided that all such mortgages purchased shall be limited to interest bearing obligations which finance land and improvements constituting one to 4 family owner-occupied residential housing units.

Sec. 4. Legislative intent. It is the intent of the Legislature that references in Title 30 to the 3rd paragraph from the end of section 4761 shall refer to the paragraph which begins with the phrase "In order to insure the maintenance of.."

Effective September 14, 1979