

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

Flow: sanitary, from commercial sources excluding overboard discharge \$0.02 per gallon

Flow: from publicly owned facilities, 6,000 10,000 gallons per day or less \$0.02 per gallon

Flow: sanitary from overboard discharge \$0.05 per gallon

*The license rate per pound is \$10.50 divided by the licensed effluent concentration in milligrams per liter. The discharge rate per pound is \$21 divided by the licensed effluent concentration in milligrams per liter.

For the purposes of this section, the term "conventional pollutant" means oxygen-demanding compounds, suspended or dissolved solids, oil and grease. The term "nonconventional pollutants" means other chemical constituents subject to fees. Excluded from fees are the following: pH, residual chlorine, settleable solids, bacteria, whole effluent toxicity tests, color, any compound without numeric license limitations and effluent concentrations reported as being below acceptable detection limits.

Annual discharge or license quantity fees may be calculated using either pounds of pollutants or allowable flow, as is most appropriate for the circumstances of a particular discharge category, situation or location. License limits may be supplemented by applications and related supporting materials when necessary to calculate effluent quantities or concentrations.

Sec. 4. 38 MRSA §353-B, sub-§6, as enacted by PL 1997, c. 794, Pt. B, §7, is repealed.

Sec. 5. 38 MRSA §420-D, sub-§12, as enacted by PL 2005, c. 219, §7, is repealed.

See title page for effective date.

CHAPTER 559

S.P. 765 - L.D. 1971

An Act Concerning Gasoline Station Vapor Recovery Requirements

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

Sec. 1. 38 MRSA §585-E, sub-§3, as enacted by PL 1995, c. 493, §15, is repealed.

Sec. 2. 38 MRSA §585-E, sub-§4, as enacted by PL 1995, c. 493, §15, is repealed.

Sec. 3. 38 MRSA §585-E, sub-§5, as enacted by PL 1995, c. 493, §15, is repealed.

Sec. 4. 38 MRSA §585-E, sub-§6, as amended by PL 2001, c. 233, §§1 and 2, is further amended to read:

6. Section repeal. No later than April 1, 2002 the department shall provide to the joint standing committee of the Legislature having jurisdiction over natural resources matters an appropriate date for the repeal of this section. This section is repealed January 1, 2012.

Sec. 5. 38 MRSA §585-E, sub-§7 is enacted to read:

7. Exemptions. A gasoline station is exempt from the provisions of this section:

A. After January 1, 2008 if it has at least an annual throughput of 1,000,000 gallons of gasoline;

B. If, upon department verification and approval, excavation of one or more storage tanks is required in order to install or repair a below-ground component of the Stage II vapor recovery system; or

C. If it is constructed after the effective date of this subsection.

See title page for effective date.

CHAPTER 560

H.P. 1631 - L.D. 2268

An Act To Implement the Recommendations of the Joint Standing Committee on Education and Cultural Affairs Regarding Review of the Maine State Museum Commission under the Government Evaluation Act and To Revise the Review Schedule

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

Sec. 1. 3 MRSA §959, sub-§1, ¶E, as amended by PL 2005, c. 605, §1, is further amended to read:

E. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall use the following list as a guideline for scheduling reviews:

(2) Department of Education in 2005;

(2-A) State Board of Education in 2005;

- (3) Maine Arts Commission in ~~2007~~ 2015;
- (5) Maine Historic Preservation Commission in ~~2007~~ 2015;
- (5-A) Notwithstanding section 952, Maine Historical Society in ~~2007~~ 2015;
- (6) Maine Library Commission in ~~2007~~ 2015;
- (6-A) Maine State Cultural Affairs Council in ~~2007~~ 2015;
- (6-B) Maine State Library in ~~2007~~ 2015;
- (6-C) Maine State Museum in ~~2007~~ 2015;
- (7) Maine State Museum Commission in ~~2007~~ 2015;
- (8) Office of State Historian in ~~2007~~ 2015;
- (9) Board of Trustees of the Maine Maritime Academy in 2009;
- (10) Board of Trustees of the University of Maine System in 2009;
- (12) Maine Community College System in 2009;
- (13) Maine Health and Higher Educational Facilities Authority in 2011; and
- (14) Maine Educational Loan Authority in 2011.

Sec. 2. 27 MRSA §83, sub-§4, as amended by PL 1991, c. 622, Pt. V, §2, is further amended to read:

4. Recommendations. To make recommendations to the Maine State Cultural Affairs Council for such legislation as may be necessary to improve the functioning of the Maine State Museum; ~~and~~

Sec. 3. 27 MRSA §83, sub-§5, as amended by PL 2003, c. 20, Pt. P, §1, is further amended to read:

5. Establish fees. To establish fees for admission to the Maine State Museum and miscellaneous services. All revenues derived from these fees must be credited as undedicated revenue to the General Fund; ~~and~~

Sec. 4. 27 MRSA §83, sub-§6 is enacted to read:

6. Designate a private support organization.
To designate a nonprofit organization as the private support organization for the Maine State Museum. The designated organization must be incorporated as a nonprofit corporation under the laws of the State, and its sole purpose, as reflected in its bylaws, must be to organize and foster support for the Maine State Museum and the museum's programs.

The commission shall delegate authority to the Museum Director to permit, without charge and within the

museum's financial means, the appropriate use of fixed property, equipment and facilities of the museum by the private support organization. Such use must be directly in keeping with the approved purposes of the private support organization and must comply with all appropriate state policies and procedures.

The commission's chair, or the chair's designee, and the Museum Director, or the director's designee, must be made nonvoting ex officio members of the private support organization's board of directors. Other members of the commission may serve in a nonvoting capacity on the board of the private support organization if such service is agreed to by the commission and private support organization's board of directors.

Subject to the approval of the commission, the Museum Director shall negotiate an annual memorandum of understanding between the museum and the private support organization that outlines a plan of work identifying priority projects of mutual benefit and cooperation.

See title page for effective date.