

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY & NATURAL RESOURCES
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

Current law permits the State to establish water levels for bodies of water impounded by dams when the Board of Environmental Protection grants a permit for the construction or reconstruction of a hydropower project, orders alterations to a dam after a safety inspection, awards ownership of an abandoned dam or establishes a water level regime for a dam not regulated by federal law. If a petition for establishment of a water level regime cannot be acted upon under any of these provisions of State law, the provisions of this bill would have permitted the board to refer the matter to mediation with the goal of encouraging the parties to reach an agreement that resolves the dispute without resort to court. The bill would have provided a framework for selection of mediators, implementation of the mediation process, and termination of the process.

LD: 837 AN ACT TO ESTABLISH MINIMUM ENERGY
 EFFICIENCY STANDARDS FOR MAJOR APPLIANCES
 ND: 1589 SOLD IN MAINE

CASHMAN
 ANDREWS
 WEBSTER M
 COLES

MAJ OTP-ND HOUSE Accepted MAJ Committee Report
 MIN ONTP SENATE Accepted MAJ Committee Report
 GOV

SUMMARY:
 See New Draft LD 1589.

LD: 838 AN ACT TO PROTECT FRESHWATER WETLANDS

MITCHELL
 USHER
 MICHAUD
 HOLLOWAY

MAJ OTP-AM HOUSE Enacted MAJ
 MIN ONTP SENATE Enacted MAJ
 GOV SIGNED

PUBLIC
 CH # 485

H-191	CA	MAJ REP	H	S
H-206		LAW		
S-352		PEARSON	H	S

SUMMARY:
 Present law regulates the alteration of freshwater wetlands within the jurisdiction of the Maine Land Use Regulation Commission. Within the organized portion of Maine, various wetlands are protected under the Great Ponds Act, the Stream Alterations Act and the Mandatory Shoreland Zoning Act.

This bill regulates the remaining freshwater wetlands that are unprotected under present law which are 10 or more acres in extent and unforested by establishing a regulatory

program within the Department of Environmental Protection. Under this program, alteration of freshwater wetlands will require a permit which will be granted if the alteration meets certain standards. The bill also provides for the delegation of permit-granting authority to a municipality at the municipality's request, defines a violation, authorizes enforcement by certain law enforcement officers, and exempts draining for agriculture, normal forestry management, peat mining, hydropower projects and certain minor repairs and maintenance. The bill also establishes a penalty for violation and provides an appropriation.

CA-H-191: The Committee Amendment (majority report) changes the current law to reflect the fact that wetland maps have been adopted; deletes from the bill the requirement that municipalities which have been delegated the authority to regulate wetlands need to have permits they issue approved by the Board of Environmental Protection and requires instead that a copy of an approved permit be sent to the board; clarifies the agricultural and hydropower exemption; adds an exemption for interstate pipelines; and revises the appropriation.

SA-S-352: Deletes the appropriation since the funding for the program was provided in the Part II Budget.

LD:	839	AN ACT TO AUTHORIZE THE BOARD OF ENVIRONMENTAL PROTECTION TO PROMULGATE EXPERIMENTAL REGULATIONS FOR CERTAIN NONTOXIC SOLID WASTE	MURPHY T RICE CONNERS SALSBURY
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LU-WD HOUSE Accepted Committee Report
 SENATE Accepted Committee Report
 GOV

SUMMARY:

The bill would have authorized the Department of Environmental Protection to adopt regulations governing the disposal of "non-toxic" solid waste such as chicken manure and fish processing waste. The disposal methods contemplated included use as a soil additive. The bill was withdrawn by the sponsor when it became clear that the DEP is already authorized under its general statutes to supervise such activities.