

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

Prepared by:

David Elliot and William T. Glidden, Legislative Assistants
Andrea Colnes, Research Assistant
Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-1670



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STATE OF MAINE
OFFICE OF LEGISLATIVE ASSISTANTS
ROOM 101
STATE HOUSE, STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-2486

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

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.

There was substantial resistance to the "charter override" provision which was finally overcome by a redraft of the bill that separates the more sweeping contracting provisions into a set of options for an interested municipality. The override provision is retained.

The bill also incorporates authority for administrative mechanisms needed for a municipality to use variable rate bonds in a practical manner.

Finally, the bill provides some protection for small power producers who have contracted for the sale of power with a public utility under the federal Public Utilities Regulatory Policy Act and related state law. In the event that the utility declares bankruptcy, this bill provides for the preservation or recreation of the contract under the original terms.

LD: 1381
EMERGENCY

AN ACT TO AMEND THE WOOD MEASUREMENT LAWS

MCGOWAN
TWITCHELL
MILLS

OTP-AM		HOUSE Enacted		
		SENATE Enacted		
		GOV		
H-272	CA		H	S
H-372		MICHAUD		
S-299		USHER	H	S

SUMMARY:

This bill and LD 1068 proposed changes in the Wood Measurement laws which govern certain aspects of the sale of wood and services in the forest products industry. Both bills proposed a series of relatively minor changes in the existing law dealing with scaling (measurement) procedures and methods. In addition, LD 1068 sought to move the program from the Department of Agriculture to the Maine Forest Service. Both bills also sought to establish the ability of parties to a services contract to negotiate the terms of payment for services. Specifically, the bills sought to allow payment arrangements based on "discounting" or volume deductions based on quality defects discovered after harvest, often at the mill.

After considerable debate, the committee unanimously granted the sponsor of LD 1068 leave to withdraw and recommended a compromise amendment to LD 1381 which allowed for the use of discounting under certain conditions. These conditions require that, in a contract for harvest services, payment during the first 30 days occur under the terms of the

existing law. At that point, the parties may negotiate any payment scheme that is mutually agreeable for a geographically specific harvest area. The agreement must be in writing. After completion of the harvest area the person providing services may insist on reverting to the original payment scheme for future harvesting. The bill prohibits retaliation on the basis of such a choice. Penalties for retaliation are specified.

The emergency provisions of the bill were removed in the Senate before the bill finally passed. At this writing (8/6/85) the Governor is holding the bill.

LD:	1382	AN ACT RELATING TO MUNICIPAL REGULATION OF HAZARDOUS WASTE AND CHEMICAL SUBSTANCES										HOGLUND ANDREWS NAJARIAN
	OTP-AM		HOUSE Enacted									PUBLIC
			SENATE Enacted									CH # 267
			GOV SIGNED									
	H-138	CA				H						S
	H-157	HA	MICHAUD			H						S

SUMMARY:

The bill provided municipal officials with access to information in Department of Labor and Department of Environmental Protection files on hazardous chemicals in use by local businesses. The bill was amended (CA H-138 and H-157) to clarify the extent of this access and to eliminate a possible interpretation allowing municipal officials to assist in the administration of the chemical substance identification laws.

LD:	1389	AN ACT TO REDUCE ACID DEPOSITION IN MAINE										ANDREWS WEBSTER M MCGOWAN JACQUES
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ONTP		HOUSE Accepted Committee Report
		SENATE Accepted Committee Report
		GOV

SUMMARY:

See LD 317 for full discussion. This bill proposed a 20% reduction in statewide sulfur dioxide emissions. The bill also proposed study provisions that are similar to those in LD 317. The bill was used as the basis for the minority report on LD 317.