

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES**

AUGUST 1991

Staff:
Tim Glidden, Principal Analyst
Gro Flatebo, Legislative Analyst
Patrick Norton, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670

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BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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.

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	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

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, and especially Laurette Knox who coordinated preparation of the overall document.

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

LD 894 An Act to Allow Certain Lime Quarries to Be Used for Nontoxic Disposal Sites ONTP

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

SUMMARY

This bill would have required the Department of Environmental Protection to license an abandoned lime quarry for waste disposal if similar licensed facilities within 15 miles of the proposed facility did not have a significant environmental impact.

LD 896 An Act to Compensate Landowners for Property Value Losses Due to Wetlands Regulation ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
SKOGLUND ONTP
GOULD R A
CARROLL J
POWERS

SUMMARY

The bill would have provided a mechanism to compensate landowners for the property value losses incurred as a result of regulation under the wetlands portion of the natural resource protection laws.

LD 918 An Act Relating to the Computation of Flow for Wastewater Discharges PUBLIC 159

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
LORD OTP-AM H-167
LUDWIG
THERIAULT
GOULD R A

SUMMARY

The original bill would have allowed the Department of Environmental Protection to determine the assimilative capacity of a water body for any pollutant with a flow rate other than the traditional and statutorily required "7Q10" flow, the average seven day low flow that has a probability of occurring once in a ten year period. Committee amendment "A" (H-167) limited the use of this option to determinations regarding the impact of toxic substances regulated under 38 MRSA §420. Both the original bill and the amendment require the alternative flow rate to be "consistent with the risk being addressed".

LD 920 An Act to Amend the Laws Relating to Submerged Land PUBLIC 430

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
DIPIETRO OTP-AM H-433
MICHAUD

SUMMARY

The original bill would have returned submerged lands lease rates for marinas to levels that were in effect before 1990. The bill also would have prohibited any change in these rates without the consent of the lessee.

The committee amendment (H-433) strikes the original bill. It establishes a mechanism to charge marinas that lease submerged lands from the State for slip space an annual fee based on gross income from the rental of that space. The fee charged for dockominiums, slips that are part of a residential condominium and boat clubs are determined by the Director of the Bureau of Public Lands based on an average of slip rentals for the area. Service facilities that are part of marinas are charged a rate based on the municipally assessed value of the uplands. The amendment takes effect on October 1, 1991. The amendment also adds a fiscal note to the bill.

LD 937 An Act to Encourage Recycling of Waste Oil

PUBLIC 255

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KETOVER	OTP-AM	H-191
MICHAUD		H-309 JACQUES
HOGLUND		
KANY		

SUMMARY

This bill changes "eligible business" in the Maine Revised Statutes, Title 10, section 1099-A, to "eligible entity" and includes municipality in the definition of "eligible entity" for purposes of the Waste Oil Furnace Loan Program. This bill also permits municipalities to be eligible for 0% interest loans in the Waste Oil Furnace Loan Program.

The bill also requires the Maine Waste Management Agency, Office of Waste Reduction and Recycling, to provide technical and financial support to municipalities for the collection, recycling and disposal of waste oil.

Committee amendment "A" (H-191) retains the bill's municipal eligibility provisions, but establishes the loan interest rate at 3%, the same rate currently available to eligible businesses. The amendment also strikes a provision in the bill requiring the Maine Waste Management Agency to provide technical and financial support to municipalities for the collection, recycling and disposal of waste oil.

House amendment "A" (H-309) included "person" in the bill's definition of "eligible entity".

LD 946 An Act to Amend the Voter Ratification Provisions of the Low-level Radioactive Waste Laws

DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PEARSON	ONTP MAJ	
HICHBORN	OTP-AM MIN	
CAHILL M		
O'DEA		

SUMMARY

This bill would have allowed a municipality or an unorganized township selected as a possible site for a low-level waste disposal facility to vote to withdraw the municipality or unorganized township from selection.