

# MAINE STATE LEGISLATURE

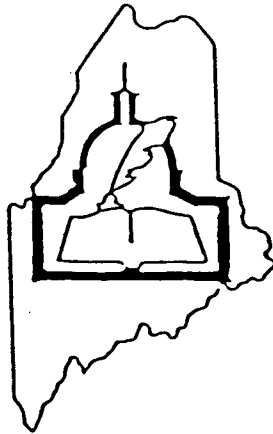
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STATE OF MAINE  
ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE  
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The New Draft makes several technical changes in the original bill. It also clarifies the procedure and variance requirements for conversion from a seasonal to a year-round dwelling; and provides authority to DHS to review and require towns to upgrade their plumbing enforcement program.

**LD** AN ACT TO ENHANCE THE SOUND USE AND  
**2167** MANAGEMENT OF MAINE'S COASTAL RESOURCES

PL 1985  
c. 794

Sponsor: CLARK, N., Vose, Usher, Michaud  
Committee Report: OTP-AM

H-665 MICHAUD  
S-456 CA H S  
S-471 CLARK, N. H S

SUMMARY: This bill establishes a multifaceted coastal resource management program. The bill: (1) establishes a Heritage Coastal program which would result in listing areas which are to be protected on a voluntary basis; (2) amends the municipal subdivision law to require consideration of public access in the review process, establish certain construction standards for subdivisions in a flood-prone area, and to provide authority for municipalities to exact land or fees from subdividers in coastal areas to be used for public access; (3) defines "functionally water-dependent uses" and provides for their consideration in a municipality's comprehensive plan; (4) establishes a cost-sharing system between state and local governments for the non-federal share of damages under the Federal Disaster Assistance Program; (5) gives the BEP some oversight responsibility over municipal enforcement of shoreland zoning laws; (6) requires areas in floodways and velocity zones in tidal zones be designated resource protection zones and requires that activities there not increase the 100-year flood elevation; (7) authorizes municipalities to exercise their zoning powers to protect functionally water-dependent uses and to provide for public access; (8) enacts coastal management policies for the conduct of governmental agencies; (9) establishes a Coastal Barrier System; (10) establishes the Shoreline Public Access Protection Program and Fund.

CA-S-456: The Committee Amendment makes several clarifying amendments to the bill and deletes 2 elements of the proposed coastal resource management program. The provision authorizing municipalities to exact from subdividers land or fees to be used for public access in the coastal zone and the provisions providing for Board of Environmental Protection review of the local enforcement of certain environmental ordinances are also deleted.

SA-S-471: This amendment makes designation of Heritage Coastal Areas subject to legislative review by the joint standing committee of the Legislature having jurisdiction over energy and natural resources.

LD AN ACT CONCERNING FEES IMPOSED ON THE USE OF NOT ADOPTED  
2183 HAZARDOUS MATERIALS

Sponsor: COLES, Kany, Hoglund, Holloway  
Committee Report: New Draft of LD 1751.

SUMMARY: The original bill proposed a fee on large shipments of certain hazardous materials in order to increase the funding of the Hazardous Waste Fund. The Committee majority approved the new draft which substantially reduced the proposed fee and lowered the existing cap on the Hazardous Waste Fund. The House and Senate adopted the minority ought not to pass report.

LD AN ACT TO IMPROVE THE MANAGEMENT OF MAINE'S PL 1985  
2198 FOREST RECREATION RESOURCE c. 696

Sponsor: JACQUES, Law, Kany  
Committee Report: OTP

SUMMARY: This bill authorizes the Commissioner of Conservation to establish fees for the use of forest campsites administered by the Dept. of Conservation and to accept voluntary contributions to this program. A new account is established to receive these funds and an initial allocation is made from the account. The Committee unanimously approved the bill.

LD AN ACT TO CONTROL ACID RAIN NOT ADOPTED  
2234

Sponsor: COLES, Mitchell, Ridley, Kany  
Committee Report: New Draft of LD 2034.

SUMMARY: Minority report of LD 2034; see summary of that LD.

LD AN ACT TO PROVIDE FOR DEVELOPMENT OF A STATE PL 1985  
2242 LOW-LEVEL RADIOACTIVE WASTE FACILITY IF c. 705  
NECESSARY

Sponsor: KANY, Holloway, Mitchell, Usher  
Committee Report: OTP