

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

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**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.

department must ensure that the proposed handling site location is reasonable and minimizes any adverse impact on island residents. Handling sites not on islands may not be within 250 feet of any abutting boundary, unless the Department of Environmental Protection determines the abutting property to be a conforming use. If the abutting property is a conforming use, the handling site may be closer to the boundary, but not within 250 feet of any permanent structure on that property.

The Department of Environmental Protection is required to adopt rules by January 1, 1992 that define abutting property uses that qualify as "conforming uses."

LD 63 An Act Concerning Capital Improvements and Impact Fees PUBLIC 18

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RICHARDS	OTP-AM	H-22
BUTLAND		
HASTINGS		

SUMMARY

The bill proposed to clarify municipal authority to impose impact fees to recoup the costs of capital improvements or facility expansions necessitated by new developments.

Committee Amendment "A" (H-22) replaced the bill. The amendment clarifies the definition of "impact fees" contained in the bill, allows a municipality to assess impact fees for up to 100% of the cost of an infrastructure improvement and allows a municipality to assess an impact fee for the costs of infrastructure improvements constructed prior to the new development, provided that the impact fee assessed is reasonably related to the percentage of the infrastructure used by the development.

LD 72 An Act Regarding the Forestry, Natural Habitat, Water ONTP
Quality and Environmental Impacts of Pesticide Use (Reported
by the Commission to Study the Use of Herbicides Pursuant to
Resolve 1989, chapter 98 - Majority Report)

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	ONTP	

SUMMARY

This bill was the majority report of the Commission to Study the Use of Herbicides, established by Resolve 1989, chapter 98. The bill would have prohibited the sale of produce treated with pesticides banned in Maine; increased penalties for pesticide violations; required the Department of Transportation and utilities to pay municipalities avoided costs when entering into no-spray agreements; required research into agricultural, forestry and right-of-way alternatives to pesticide use; required ground water protection planning; established a pesticide ground water monitoring fund; amended the State's pesticide regulatory policy; changed the membership of the Board of Pesticides Control; established procedures for suspending and removing members who violate pesticide regulations; required pesticide applicators to report to the board; required the board to report biennially to the Legislature; required training and certification of pesticide users; and repealed the exemption for pesticide dealer reporting of pesticides sold in small containers.