

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.

LD 183 An Act to Ensure Proper Disposal of Waste at Marinas ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN KONTOS	ONTP	

SUMMARY

This bill would have required all marinas that provide slip space and moorings to watercraft to provide pump-out facilities for disposal of sewage. This bill also would have established the Marina Pump-out Facility Loan Fund to assist marinas in meeting the requirements of this bill.

LD 193 An Act to Permit Larger Docks Within the Saco River Corridor ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD	ONTP	

SUMMARY

At the time this bill was submitted, Maine law required that no privately owned pier, dock or float on the Ossipee River, Little Ossipee River and freshwater portions of the Saco River may extend more than 10% of the width of the river at any time or extend into the water more than 10 feet perpendicular to the shore, whichever is less. This bill would have increased the allowable dock size from 10 feet to a 20-foot extension from the shore.

LD 195 An Act Regarding Zoning Variances PUBLIC 47

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD	OTP-AM	H-48

SUMMARY

Under current law, municipalities, in considering applications for zoning variances, must determine whether strict application of a zoning ordinance would cause undue hardship. One factor in determining undue hardship is whether the land in question can yield a reasonable return. This bill proposed to amend the law to limit the application of the reasonable return question to the land, exclusive of any buildings or appurtenances attached to that land.

This bill also provided that variances be granted to applicants for the sole purpose of making property more accessible to disabled persons unless the Department of Environmental Protection finds that the alteration or construction would have a definite negative impact on the environment.

Committee amendment "A" (H-48) strikes the provisions of the bill affecting the manner in which a zoning board of appeals would determine undue hardship when considering requests for zoning variances. The amendment adds language clarifying the bill's intent to allow municipal zoning boards of appeal to grant variances for the construction or installation of structures or equipment solely intended to improve accessibility for a person living on the property who has a disability, as defined in the Maine Human Rights Act, the Maine Revised Statutes, Title 5, section 4553.