

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

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LD 384 **An Act Regarding Noncomplying House and Camp Lots** ONTP

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

SUMMARY

This bill would have permitted lots that are under the jurisdiction of the Land Use Regulation Commission and that existed on June 6, 1990 to be developed with single-family homes or camps using LURC's pre-1990 setback and minimum shoreline frontage standards.

LD 394 **An Act to Change the Definition of Beverage Container for the Purposes of Recycling** PUBLIC 72

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
MORRISON OTP-AM H-96

SUMMARY

This bill amends the definition of "beverage container" in the bottle deposit law to change the maximum size container from one gallon to 4 liters.

Committee Amendment "A" (H-96) adds a fiscal note.

LD 395 **An Act to Grandfather Property under Certain Environmental Laws** PUBLIC 318

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
NORTON OTP-AM H-460

SUMMARY

This bill would have permitted a person who purchased property prior to enactment of the shoreland zoning laws and the wetland protection laws to build a single-family home on that property, notwithstanding the prohibitions in those laws.

Committee Amendment "A" (H-460) replaces the bill. It allows a municipality to include a special exception provision in its shoreland zoning ordinances to permit a person to build a single-family home on a lot in a Resource Protection District. To qualify for the special exception, the person must have purchased and recorded the lot before formation of the Resource Protection District, and the construction must meet certain other standards such as a minimum setback and protection of the 100-year floodplain. The planning board of the municipality would review the application for this special exception and would be permitted to issue a permit if the construction meets the terms of the special exception provision. A municipality is not required to adopt this special exception provision.

LD 411 **An Act to Promote Uniformity of Pricing among Municipalities Serviced by Privately Owned Waste-to-energy Facilities** ONTP

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

SUMMARY

This bill would have enacted a provision governing contract enforcement powers of a municipality that has entered into a contract for waste disposal either directly with a privately owned waste-to-energy facility or indirectly with an entity that transports the waste to a privately owned waste-to-energy facility. Enforcement would have been limited to certain waste-to-energy facilities providing waste disposal services to 50 or more municipalities.

LD 413 An Act to Extend the Deadline for Landfill Closures ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL E CAREY	ONTP	

SUMMARY

This bill would have extended the municipal solid waste landfill closure deadline by one year, to December 31, 1993 and allowed the Commissioner of Environmental Protection to grant an additional 6-month extension to a licensed or unlicensed landfill. A municipality would have been eligible for the additional extension if the commissioner determined that the municipality in which the landfill is located was making reasonable and productive efforts toward finding an alternative method of solid waste management.

LD 428 An Act Concerning Rules of the Department of Environmental Protection ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BEGLEY	ONTP	

SUMMARY

This bill would have provided that permits for residential development issued by the Department of Environmental Protection under the site location of development laws or the natural resources protection laws or by a municipality under shoreland zoning ordinances do not expire or lapse, and would not have been reviewable once issued, regardless of when the project started or how long it took to complete. If the development had been a subdivision consisting of 3 or more parcels, the department or the municipality would have been permitted to provide that the permit lapses or is subject to review if the project is not begun within 5 years, or completed within 10 years, of permit issuance. Also, the bill would have provided that department rules, municipal ordinances and amendments that are more stringent than those in effect when the permit is issued do not apply to a permitted development.

LD 438 An Act to Protect the Public Health ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HOLT	ONTP	

SUMMARY

This bill would have required the Department of Environmental Protection to notify the public when the department anticipated that the level of ozone would exceed state standards.