

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

Staff:

*Tim Glidden, Principal Analyst
Patrick Norton, Legislative Analyst
Deborah Friedman, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

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DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**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.

4693NRG

SUMMARY

Under current law, the sale or lease of lots to an abutting owner is not considered to be a subdivision of property for purposes of the Site Location of Development law, unless the sale or lease is intended to circumvent that law. The Department interprets this provision to require the owner of land in an already approved development to seek new or revised approval under the site law for the sale or lease of abutting land owned by the developer if the land was not part of the already approved development. The bill provides that lots sold to an abutting landowner in a subdivision previously approved by DEP are not included in that subdivision and are exempt from review under the Site law. Further development on that lot would be subject to review.

Committee Amendment "A" (H-504) replaces the bill. It provides that the transfer of contiguous lots by developers is only exempt if the land being transferred was not owned by the developer when that person obtained the subdivision permit from the Department of Environmental Protection under the site location of development laws. It also provides that further division of the transferred land must be reviewed under the site location of development laws.

LD 877 An Act to Improve Forest Management for Small Owner-managed Woodlots ONTP

SPONSOR(S) TREAT PEARSON GOULD R A	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have required a timber harvester to provide a landowner with a model contract outlining some of the details of the harvest before cutting may commence.

This bill also would have allowed the Maine State Board of Licensure for Professional Foresters to levy a financial penalty of up to \$100 on a licensed professional forester for conduct or performance not befitting a licensed professional forester. The bill would have allowed the board to revoke a license after 3 penalties. The bill also would have reduced the standard for license revocation from gross negligence to negligence and required the Maine Forest Service to review methods to institutionalize a program to train and certify logging professionals.

LD 879 An Act to Promote More Effective Input to Environmental Regulation ONTP

SPONSOR(S) GOULD R A	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have established 5 to 7 regional councils to make decisions on environmental permit and license decisions that are precedent-setting or controversial and to take over the current role of the Board of Environmental Protection in enforcement matters. The regional councils would have consisted of 7 members from within their respective geographic areas. Three members of each council would have been required to have had experience as municipal officials. The bill also would have charged the regional councils with collecting local input and disseminating information to the public. The Commissioner of Environmental Protection would have been charged with supporting the functions of the regional councils and aligning the regional offices to enhance their effectiveness.