

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries  
Joint Standing Committee  
on  
Natural Resources*

*July 2003*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Natural Resources*

**LD 525**

**An Act To Encourage Open Space Preservation**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAIGLE MAYO	ONTP	

LD 525 was a concept draft pursuant to Joint Rule 208. This bill proposed to amend the law to allow municipalities to achieve goals such as encouraging open space preservation, controlling sprawl and supporting affordable housing. It also proposed to authorize communities and property owners to negotiate agreements under which a property owner would receive a reduction in property taxes in return for the property owner's agreement to use the property in a manner benefiting the town in some manner for a period of 10 years. The bill proposed to allow the property owner to negotiate a reduction in property taxes in exchange for delaying the development of the land, providing public access for hunting and fishing, or building affordable housing. Any negotiated agreements reached by the property owner and the town officials would require approval by the town.

**LD 531**

**An Act To Clarify the Use of Municipal Rate of Growth Ordinances**

**PUBLIC 127**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUSLOVIC BROMLEY	OTP-AM MAJ ONTP MIN	H-159

LD 531 proposed to outline the parameters within which a municipality may adopt a rate of growth ordinance. As proposed, temporary rate of growth ordinances may be enacted only to slow development while a community works toward solving the problems necessitating the rate of growth ordinance. A permanent rate of growth ordinance may be enacted to apply to a designated growth area only if the ordinance requires that the number of permits issued annually under the rate of growth ordinance be determined according to a formula specified in rules adopted by the Executive Department, State Planning Office. A permanent rate of growth ordinance may be enacted to apply to a designated rural area only if the ordinance is recommended in the municipality's comprehensive plan as a mechanism for guiding growth and the comprehensive plan lays out policies and strategies for accommodating most of the community's future growth in designated growth areas.

**Committee Amendment "A" (H-159)** proposed to replace the bill. It proposed to add a provision to current law that clarifies that municipalities may enact ordinances that set different limits on the number of building or development permits that will be allowed in their rural areas and growth areas.

***Enacted Law Summary***

Public Law 2003, chapter 127 adds a provision to current law that clarifies that municipalities may enact ordinances that set different limits on the number of building or development permits that will be allowed in their rural areas and growth areas.