

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1459, L.D. 2071, Bill, "An Act to Amend the Laws Regarding Licensing of Gravel Pits"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 38 MRSA §489-A, sub-§1, ¶¶ C and D, as enacted by PL 1989, c. 207, §2, are amended to read:

C. Structures as described in section 482, subsection 6, paragraph A, which that occupy a total floor area of 100,000 square feet or more but less than 150,000 square feet of floor area; ~~or~~

D. Structures as described in section 482, subsection 6, paragraph B, which that occupy a ground area in excess of 3 acres but less than 7 acres of nonvegetated land; or

Sec. 2. 38 MRSA §489-A, sub-§1, ¶E is enacted to read:

E. Sand, fill or gravel pit mining operations consisting of 5 or more acres.

Sec. 3. 38 MRSA §489-A, sub-§2, ¶D-1 is enacted to read:

D-1. Land use regulations have been adopted that regulate all sand, fill or gravel pit mining operations consisting of 5 or more acres. The regulations must be determined by the board to be at least as stringent as the criteria set forth in section 484;

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Sec. 3. 38 MRSA §489-A, sub-§2, ¶E, as enacted by PL 1989, c. 207, §2, is amended to read:

E. ~~A professional planning staff to provide professional planning assistance and advice to the municipal reviewing authority has been retained or the municipality has otherwise arranged to provide professional planning assistance to advise the municipal reviewing authority on project review~~ The municipality has adequate resources to administer and enforce the provisions of its ordinances;

FISCAL NOTE

1992-93

REVENUES

Other Funds (\$13,000)

Adding gravel pits of 5 or more acres to the list of projects municipalities may choose to review in place of the Department of Environmental Protection will reduce revenue to the Maine Environmental Protection Fund by approximately \$13,000 annually beginning in fiscal year 1992-93. This projected reduction in revenue does not warrant a reduction in current allocations from the fund.'

STATEMENT OF FACT

This amendment replaces the entire bill. The amendment adds sand, fill and gravel pit mining operations that are 5 or more acres in size to the list of projects that may be reviewed by a municipality authorized to substitute its permits for permits of the Department of Environmental Protection under the provisions of the Maine Revised Statutes, Title 38, section 489-A.

The amendment also adds a fiscal note to the bill.

Reported by the Committee on Energy and Natural Resources.
Reproduced and distributed under the direction of the Clerk of the House.
(3/13/92) (Filing No. H-1115)