

MAINE STATE LEGISLATURE

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L.D. 695

DATE: 5-13-03

(Filing No. H-349)

NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 512, L.D. 695, Bill, "An Act To Amend the Laws Governing Minimum Lot Size"

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

'Sec. 1. 12 MRSA §4807, sub-§§1-A and 1-B are enacted to read:

1-A. Engineered disposal system. "Engineered disposal system" means a subsurface wastewater disposal system designed, installed and operated as a single unit to treat and dispose of at least 2,000 gallons of wastewater per day or a system designed to be capable of treating wastewater with significantly high 5-day biochemical oxygen demand and total suspended solid concentrations.

1-B. First-time subsurface waste disposal system. "First-time subsurface waste disposal system" means the first subsurface waste disposal system designed to serve a specific structure.

Sec. 2. 12 MRSA §4807-B, as amended by PL 1985, c. 481, Pt. A, §21, is repealed and the following enacted in its place:

§4807-B. Approval of smaller lots

1. Approval by local plumbing inspector. A lot of less than the size required in section 4807-A may be used for

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COMMITTEE AMENDMENT "A" to H.P. 512, L.D. 695

2 subsurface waste disposal if approved in writing by the local
3 plumbing inspector for the municipality or unorganized territory,
4 as long as:

5 A. The applicant has submitted a current application for
6 subsurface wastewater disposal, or the equivalent, pursuant
7 to rules adopted by the Department of Human Services;

8 B. The subsurface waste disposal meets the criteria for
9 first-time subsurface waste disposal systems as adopted by
10 rule by the Department of Human Services without requiring a
11 variance; and

12 C. The subsurface waste disposal is not an engineered
13 disposal system.

14 2. Approval by Department of Human Services. A lot that
15 does not meet the criteria listed in subsection 1 may be used for
16 subsurface waste disposal if the subsurface waste disposal is in
17 compliance with the rules regarding subsurface waste disposal
18 adopted by the Department of Human Services and is approved in
19 writing by the Department of Human Services.

20 3. Review fee. The Department of Human Services or the
21 municipality or unorganized territory may charge a review fee not
22 to exceed \$50.'

28 SUMMARY

29 The amendment replaces the original bill. The amendment
30 authorizes local plumbing inspectors in municipalities and
31 unorganized territories to approve the installation of subsurface
32 waste disposal systems on lots that are less than 20,000 square
33 feet if certain criteria are met. If the criteria are not met,
34 the Department of Human Services is the reviewing authority. The
35 amendment also authorizes the Department of Human Services or the
36 municipality or unorganized territory to charge a review fee not
37 to exceed \$50 per review.

38 **FISCAL NOTE REQUIRED**
39 **(See attached)**

COMMITTEE AMENDMENT

**121st Maine Legislature
Office of Fiscal and Program Review**

LD 695

An Act to Amend the Laws Governing Minimum Lot Size



LR 1267(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds
Minor revenue increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Department of Human Services can be absorbed by the Department utilizing existing resources.