

MAINE STATE LEGISLATURE

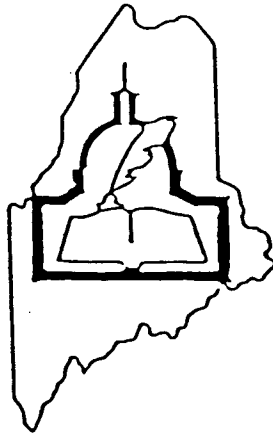
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO CREATE THE NORTHERN AND EASTERN
286 MAINE EMERGENCY FORESTRY DISTRICT

ND LD 2070

Sponsor: MARTIN, J., Pray
Committee Report: OTP-ND-NT

SUMMARY: This bill was held over from the First Regular Session of the 112th Legislature. It was reported in new draft as LD 2070.

LD AN ACT TO IMPOSE LIABILITY FOR INTERFERENCE
731 WITH GROUND WATER USE

ONTP

Sponsor: TRAFTON, Mitchell, Warren
Committee Report: ONTP

SUMMARY: This bill was carried over from the First Regular Session. Presently, Maine operates under the common law doctrine of absolute ownership of ground water. Under that doctrine land occupants who are ground water users have little protection against more recent users whose use interferes with the pre-existing users use of the ground water. The bill would have created a legal cause of action on the part of the pre-existing ground water user. The bill also would have required a report by the chairman of the Land and Water Resource Council on further actions necessary to address ground water use problems. There was little support for the bill and Leave to Withdraw was granted.

LD AN ACT TO BRING INTO CONFORMITY MUNICIPAL
1229 AND STATE SUBDIVISION LAWS

PL 1985
c. 654

Sponsor: STEVENS, P., Jackson, Trafton, Danton
Committee Report: OTP-AM

H-572 CA H S
H-573 CB

SUMMARY: This bill was held over from the First Regular Session and studied during the Interim. The bill makes several changes in the definition of "subdivision" in the Site Location and Development Law in order to make that law more similar to the municipal subdivision law. Specifically, (1) a parcel of land divided by a road would be considered 2 parcels for subdivision purposes; (2) lots of 40 acres would not be considered lots for subdivision purposes; and (3) a lot created by a subdivider for his or her use for a single-family residence would not be considered a lot for subdivision purposes after 5 years of such use. The bill would also have specified that transfer of an interest in land to an abutter would not be considered to create a lot for subdivision purposes, regardless of how the abutter acquired the abutting land.

CA H-572 (Majority Report): This Committee Amendment deletes the proposed exemption for transfers to abutters from the bill and clarifies that the exemption for a single-family lot created by a subdivider for his or her own use will be available only where it is actually used for that purpose by the subdivider for 5 years.

CA H-573 (Minority Report): This Committee Amendment would have deleted all proposed exemptions to the Site Location and Development Law except the exemption for a lot created by a subdivider for his or her own use. That exemption would have been clarified in the same manner as provided by the majority report.

LD AN ACT TO AMEND THE WOOD MEASUREMENT LAWS
1381

VETO
SUSTAINED

Sponsor: MCGOWAN, Twitchell, Mills
Committee Report: N/A

H-272	CA	H	S
H-372	MICHAUD		
S-299	USHER	H	S

SUMMARY: This bill was passed in the First Regular Session of the 112th Legislature. The Governor vetoed the bill and the attempt to override the veto failed in the House.