

MAINE STATE LEGISLATURE

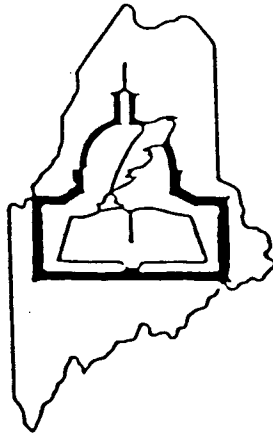
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



MAY 1986

PREPARED BY:

Tim Glidden, Policy Analyst
David C. Elliott, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, Res. Asst.

ONE HUNDRED AND TWELFTH LEGISLATURE
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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

SUMMARY: This resolve authorizes a series of land trades and sales, the most prominent of which is an agreement with the Huber Corp. to substantially complete the acquisition of the Bigelow Preserve. The resolve also authorizes the Bureau of Public Lands to sell unconsolidated portions of the public lands system at fair market value to the Nature Conservancy who in turn will swap them with the Pingree Heirs to acquire the Big Reed Pond parcel, a unique stand of old-growth white pine in northern Maine. The state received a right of first refusal to the Big Reed parcel in the event that the Nature Conservancy sought to sell the parcel. The final portion of the resolve authorizes the sale of a small portion of blueberry barren which has little multiple use value to the public lands system. The Committee majority approved the bill with an amendment (CAH-615) making several technical corrections and revisions in the bill. The amendment also makes the agreement with the Nature Conservancy contingent upon receipt by the state of a right of first refusal on the Big Reed Pond parcel. A Committee minority voted "ought not to pass" on the grounds that certain aspects of the land trades involving access and right-of-ways were not in the best interests of the state.

LD
2153

AN ACT TO AMEND THE STATE SUBSURFACE WASTE
WATER DISPOSAL LAWS

PL 1985
C. 612

Sponsor: KANY, Brown, L., Trafton
Committee Report: New Draft of LD 1775.

S-401 BROWN, L. H S

SUMMARY: The original bill was the result of a review of laws affecting subsurface waste water disposal. The bill proposes several technical and clarifying changes in existing plumbing and environmental laws. The bill also: (1) provides that DHS is to adopt minimum plumbing rules which municipalities are to enforce and may exceed; (2) regulates the expansion of a subsurface waste water disposal system and the conversion from a seasonal to year-round system and prohibits abutting landowners from installing a new well which would prevent the installation of a replacement septic system; (3) limits to twice a year the dumping of septage on a piece of property which is pumped from a system for a residence on that property; and (4) provides that DHS may act as a plumbing inspector in unorganized areas.

The New Draft makes several technical changes in the original bill. It also clarifies the procedure and variance requirements for conversion from a seasonal to a year-round dwelling; and provides authority to DHS to review and require towns to upgrade their plumbing enforcement program.

LD AN ACT TO ENHANCE THE SOUND USE AND
2167 MANAGEMENT OF MAINE'S COASTAL RESOURCES

PL 1985
c. 794

Sponsor: CLARK, N., Vose, Usher, Michaud
Committee Report: OTP-AM

H-665 MICHAUD
S-456 CA H S
S-471 CLARK, N. H S

SUMMARY: This bill establishes a multifaceted coastal resource management program. The bill: (1) establishes a Heritage Coastal program which would result in listing areas which are to be protected on a voluntary basis; (2) amends the municipal subdivision law to require consideration of public access in the review process, establish certain construction standards for subdivisions in a flood-prone area, and to provide authority for municipalities to exact land or fees from subdividers in coastal areas to be used for public access; (3) defines "functionally water-dependent uses" and provides for their consideration in a municipality's comprehensive plan; (4) establishes a cost-sharing system between state and local governments for the non-federal share of damages under the Federal Disaster Assistance Program; (5) gives the BEP some oversight responsibility over municipal enforcement of shoreland zoning laws; (6) requires areas in floodways and velocity zones in tidal zones be designated resource protection zones and requires that activities there not increase the 100-year flood elevation; (7) authorizes municipalities to exercise their zoning powers to protect functionally water-dependent uses and to provide for public access; (8) enacts coastal management policies for the conduct of governmental agencies; (9) establishes a Coastal Barrier System; (10) establishes the Shoreline Public Access Protection Program and Fund.

CA-S-456: The Committee Amendment makes several clarifying amendments to the bill and deletes 2 elements of the proposed coastal resource management program. The provision authorizing municipalities to exact from subdividers land or fees to be used for public access in the coastal zone and the provisions providing for Board of Environmental Protection review of the local enforcement of certain environmental ordinances are also deleted.