

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

location of a high or low-level radioactive waste disposal facility on existing Indian territory or on land designated as potential Indian territory under Maine Land Claims Settlement Act and the Maine Implementation Act. The committee has held the bill over until the Second Regular Session of the 113th Legislature for further consideration.

LD
1284

AN ACT TO PROVIDE A COMPREHENSIVE GROWTH
MANAGEMENT PLAN FOR THE STATE.

LVWD

Sponsor: SIMPSON, Carroll, Holloway, Clark N
Committee Report: LVWD

SUMMARY: This bill is based on the 1985-86 State Planning Office (SPO) study and addresses growth management through proposed enactment or amendment of 5 sets of state and local land use laws.

First, the bill would have enacted a new Municipal Land Use Planning Law. That law would have required all municipalities to adopt a future land use plan by 1997. In addition, towns experiencing high growth (according to standards to be developed by SPO) would have been required to adopt a comprehensive plan addressing a number of specified environmental concerns by 1995. Finally, towns encompassing areas of state concern (watersheds of public water supplies, heritage areas, agricultural and forestry areas, and vulnerable ground water resources) would have been subject to additional requirements to protect those areas. The State (mainly through SPO and DEP) would provide guidelines, technical assistance and coordination of responsibilities for towns in carrying out their responsibilities.

Second, the bill proposed several changes in the Mandatory Shoreland Zoning Law. The definition would have been changed to cover areas 330 feet (250 previously) from the normal high water mark of a water body and of a coastal or fresh water wetland (not previously included). As required by existing law, BEP would have adopted minimum land use guidelines for shoreland areas which towns would have had to at least match in their ordinance. BEP approval would have been required for municipal ordinances; and, where a town failed to adopt suitable ordinances, BEP would have been empowered to do so.

Third, the Site Location of Development Law would have been expanded in several ways. The definition of "subdivision" would have been substantially amended to eliminate several size, shape and activity exclusions from the definition in current law. The bill proposed to add "fractured bedrock" to the definition of "significant ground water aquifer" and to remove the 12 month limitation from the definition of

"mining activity". Several additional requirements for project approval were proposed. These included the capacity to provide for sewerage facilities, no adverse impact on existing public access to water bodies and adequate provision for infrastructure facilities. The bill would have required that the cumulative impacts of development (defined in bill) be taken into account when permitting decision are made.

Fourth, several separate articles of existing law were proposed to be repealed and replaced with a comprehensive Protection of Natural Resources Law (covering great ponds, freshwater and coastal wetlands, alteration of streams, coastal erosion areas, coastal sand dunes, fragile mountain areas, coastal sand dunes, fragile mountain areas, and critical wildlife habitat. Development activities in these natural resource areas would have required a BEP permit.) Permitting authority could have been delegated to towns under certain conditions.

Fifth, the bill would have enacted the State Highway Land Use Management Act to address strip development along major highways.

See also: LD 1369, 1442, 1580, 1617 and 1647

LD 1296 AN ACT TO CLARIFY THE RESPONSIBILITIES OF STATE AND FEDERAL LAWS REGARDING THE CHEMICAL SUBSTANCE IDENTIFICATION LAWS. ONTP

Sponsor: TAYLOR, Twitchell, Willey, Brown
Committee Report: ONTP

SUMMARY: The bill exempted all private employers from the state Chemical Substance Identification law. This law requires, among other things, that any employer must advise its employees about the hazardous materials that the employees work with and provide training for the employees.

LD 1303 AN ACT TO ESTABLISH CAPACITY CONTROLS ON COMMERCIAL SOLID WASTE DISPOSAL FACILITIES. ONTP

Sponsor: KANY, Tuttle, Murphy E, Richard
Committee Report: ONTP

SUMMARY: The bill established a process to evaluate the public need for new solid waste disposal capacity and to ensure that recycling alternatives were fully explored. The bill required the Department of Environmental Protection to conduct a "capacity needs analysis" assessing the state's requirements for disposal capacity. The bill