

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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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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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

Sponsor: WILLEY, Racine, Higgins, Dillenback
Committee Report: New Draft of LD 216
Amendments Adopted:
S-93 USHER

SUMMARY: The original bill sought to exempt transfers of liquid asphalt from the Underground Oil Cleanup fee. The new draft has the same intent but corrects some drafting errors.

The Senate amendment adds a fiscal note to the bill indicating a negative impact on the Groundwater Oil Cleanup Fund of \$14,000 annually.

Sponsor: MURPHY T, Gould RR, Tuttle
Committee Report: ONTP

SUMMARY: This bill would have made significant changes to the current mandatory shoreland zoning law in five areas. First, areas within 250 feet of coastal and freshwater wetlands were to be considered within the shoreland zone, which currently includes lands within 250 feet of ponds and rivers. Secondly, definitions of normal high water line, coastal and freshwater wetlands were added, the definition of pond was replaced with the definition of great pond used in the Great Pond Program, and structure was redefined to clearly include objects other than buildings. In a third area, state oversight of municipal authority, BEP approval would have been necessary before municipal shoreland ordinances and amendments to them could take effect. In a fourth area, additional municipal powers and their limitations, municipalities were given expanded jurisdiction over structures that extend over water or lie between high and low wetlands or within wetlands. New structures, replacements or substantial expansions of structures would meet water set-back requirements set by the BEP except in cases of operational necessity. Any non-conforming expansion of a non-conforming structure was not permitted unless granted by a municipal variance. The last of the major changes directed DEP to extend "all possible technical and other assistance to municipalities," made the Attorney General a party to all challenges to the validity or legality of shoreland zoning ordinances, and clarified the enforcement procedures applied by the BEP.

