

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



JUNE 1987

PREPARED BY:

Tim Glidden, Legislative Analyst
David Elliott, Legislative Analyst

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

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, DEP. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
GRO FLATEBO
MARTHA E. FREEMAN, SR. ATTY.
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
CAROLYN J. CHICK, PARALEGAL
ROBERT W. DUNN, RES. ASST.
HARTLEY PALLESCHI, JR., RES. ASST.
KATHRYN VAN NOTE, RES. ASST.

ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

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

LD AN ACT TO ENSURE SAFE ABATEMENT OF ASBESTOS
1762 HAZARDS.

PL 1987
c. 448
EMERGENCY

Sponsor: BOST, Usher, Michaud, Holloway
Committee Report: New Draft of LD 944
Amendments Adopted:
H-278 MICHAUD
H-344 BROWN
S-150 USHER

SUMMARY: The original bill established a certification program for those people removing, transporting and disposing of asbestos. The bill described a variety of job classifications, set up certification procedures (administered by the Department of Environmental Protection), and established a fee structure to fund the program.

The new draft amends the fee structure to shift the primary financial burden to those persons requiring asbestos removal services. It included an exemption for removal activities at residential dwellings with four or less units and for disposal activities at sites already licensed by the department. The new draft also made revisions to ensure consistency and avoid overlap with federal requirements for worker safety.

LD AN ACT TO ESTABLISH A PROGRAM OF FINANCIAL
1763 ASSISTANCE TO EXPEDITE THE REMOVAL OF
UNDERGROUND OIL TANKS.

PL 1987
c. 521

Sponsor: WILLEY, Sewall, Usher, Hepburn
Committee Report: New Draft of LD 1507
Amendments Adopted:
H-404 MICHAUD

SUMMARY: The original bill proposed a loan and loan guarantee program administered by the Finance Authority of Maine (FAME) to assist businesses in the removal and replacement of underground oil storage tanks. The remainder of LD 1507 (sections 11 through 32) was very similar to separate legislation also before the committee (LD 836) and is not discussed further here.

The new draft included the provisions relating to FAME and deleted all other sections of the original bill. The bill was placed on the Appropriations Table because of the potential fiscal impact on the General Fund through the loan guarantee program, and because of this fiscal impact

the bill was indefinitely postponed in both houses. The bill was recalled from the legislative files and amended in the House to substitute the Ground Water Oil Clean-up Fund in place of the General Fund to back the loan guarantee program. The bill was enacted in this form.

LD AN ACT TO ENHANCE LOCAL CONTROL OF COMMUNITY
1764 GROWTH AND STRENGTHEN MAINE'S LAND USE LAWS.

PL 1987
c. 514

Sponsor: ANDREWS, Mayo, Carter, Randall
Committee Report: New Draft of LD 1442
Amendments Adopted:
S-286 PEARSON

SUMMARY: The original bill proposed a Community Growth Management Fund to be funded by a Land Speculation Tax on the sale or exchange of real estate. The fund would have been administered by the State Planning Office (SPO) to assist municipalities in land use planning and ordinance development. The bill also would have removed the 40 acre lot exemption from the definition of subdivision in municipal and LURC laws; and in the Site Location of Development Law it would have deleted size and shape exemptions from the definition of subdivision and expanded the definition on to cover certain development in shoreland areas and multiunit housing. LURC and BEP are directed to take the cumulative impact of development into account when reviewing applications. Public access to water bodies and adequate provision of infrastructure facilities would have been added to BEP's review criteria under the site law. The shoreland mandatory zoning law would have been amended to include areas around coastal and freshwater wetlands and points along rivers below which the river drains 10 square miles. The BEP would have developed minimum land use guidelines to be adopted by municipalities for shoreland areas. All variances would have required approval by the commissioner. Finally LD 1442 would have created the Maine Commission on Land Conservation and Economic Development.

The new draft retained but revised the membership and duties of the study commission. The commission will consist of 9 members, 3 Senators and 6 Representatives, from the Energy and Natural Resources and Taxation Committees. The commission will conduct a study of the relationship between the well-being of the State's environment, the rapid growth in land use pressure, the quality of life in Maine and stable, long-term economic development. The new draft also enacted provisions into the LURC and municipal subdivision laws to curtail use of 40 acre "spaghetti" lots to avoid subdivision review when those are located in shoreland areas.