

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
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1988

MEMBERS

Sen. Ronald E. Usher *
Sen. Zachary Matthews
Sen. Margaret G. Ludwig

Rep. Michael H. Michaud *
Rep. Paul F. Jacques
Rep. James Mitchell
Rep. James Reed Coles
Rep. Annette M. Hoglelund
Rep. Richard A. Gould
Rep. Edward L. Dexter
Rep. Muriel D. Holloway
Rep. Willis A. Lord
Rep. Malachi Anderson

* Denotes Chair

Staff: Tim Glidden, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

EN T. GINDER, DIRECTOR
EN WHITESIDE, DEP. DIRECTOR
ERT W. BREWER
ID C. ELLIOTT
) FLATEBO
THA E. FREEMAN, SR. ATTY.
B. GAUTSCHI
LIAM T. GLIDDEN, JR.



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.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

residues from waste water treatment plants, food processing facilities and wood-fired boilers. The foundation is funded from both public and private sources. The committee and floor amendments added an emergency preamble and made several technical corrections.

LD An Act to Establish a Resource Protection Law
2265

PUBLIC
810

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>	
PEARSON	OTP-AM	MAJ	H-743	MITCHELL
OLIVER	OTP-AM	MIN	H-746	MICHAUD
DEXTER			S-480	MAJ REP
LORD				

SUMMARY

The original bill would have raised the acreage threshold for the "40 acre exemption" in state and local subdivision law to 500 acres. The original bill also would have established explicit emergency powers for the Commissioner of Environmental Protection.

The majority committee amendment requires state and local subdivision review of all lots smaller than 500 acres when the subdivision is wholly or partly in the shoreland zone. In addition, municipalities are given the option of extending their review to such subdivisions wholly outside the shoreland zone. Several other more minor changes to municipal subdivision law are also made.

The majority committee amendment included the Commissioner along with the Board of Environmental Protection in the existing emergency procedures provisions of Title 38. This amendment also broadened the Governor's emergency powers.

The minority committee amendment, which was not accepted by the full legislature, raised the threshold of the subdivision exemption from 40 to 500 acres regardless of location. The amendment was identical to the majority report on all other issues.

A House amendment (H-743) was attached which requires the Land Use Regulation Commission to report annually on the number of subdivisions occurring outside of the shoreland area which are exempt from the Commission's review.

A second House amendment (H-746) was attached which amends the bill's transition provision to exempt from the provisions of the new law the portions of the Donnell Pond land parcel which remain in private hands. The remainder of the transition provision applies the changes of the new law to all divisions of land happening after the date of enactment (April 19, 1988). However, this portion of the transition provision was further amended by separate legislation later in the session to exempt land divisions for which plans had been filed with the appropriate state and local authorities (see LD 2651).