

MAINE STATE LEGISLATURE

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STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1988

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Sen. Margaret G. Ludwig

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**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.

LD An Act to Improve and Expedite the Enforcement of
2314 Environmental Laws

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
LORD	LV/WD	
GREENLAW		
USHER		
CAHILL		

SUMMARY

This bill was withdrawn due to technical errors and reintroduced as LD 2375.

LD An Act to Consolidate State Land Use Statutes into the
2316 Natural Resources Protection Act

PUBLIC
809

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
DEXTER	OTP-AM	H-641
RANDALL		S-437 USHER
MCGOWAN		S-466 USHER
HANLEY		

SUMMARY

This bill consolidates and clarifies several different laws protecting natural resources of state significance by combining into one permitting system including current state permit requirements relating to great ponds, stream alteration, coastal wetlands, sand dunes and inland wetlands. The original bill also adds fragile mountain areas as a protected resource, and the committee amendment adds significant wildlife habitat areas which are mapped by the Department of Inland Fisheries and Wildlife and adopted by rule by the Department of Environmental Protection.

The committee amendment also makes technical changes, permits municipal requirements more stringent than State requirements and restores exemptions contained in current law, which the original bill eliminated, for certain activities conducted in certain types of protected areas.

LD An Act to Promote Orderly Economic Growth and Natural
2317 Resource Conservation (Reported Pursuant to Public Laws of
1987, Chapter 514, Section 3)

PUBLIC
766

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
	OTP-AM	H-727

SUMMARY

The bill establishes a system of local comprehensive planning with state goals and guidelines. The purpose of this system is to build on the existing system of local land use control, adding state financial and technical assistance, in order to anticipate and guide the development of land. The bill establishes 10 basic goals designed to protect resources and interests which are of statewide significance. The resolution of issues which are strictly of local

significance is left to the discretion of the individual towns. The law also creates a mechanism for state review and comment on local planning efforts to encourage the incorporation of the state goals in these local efforts and to coordinate regional needs and issues.

The role of regional councils in providing technical assistance is substantially increased along with the councils' role in planning for regional needs and assessing the regional trends in economic development. The State is given an active role in comprehensive planning through increased technical and financial assistance programs for municipalities and through review and comment on local plans and zoning ordinances. These State functions will be the responsibility of the new Office of Comprehensive Land Use Planning in the Department of Economic and Community Development.

The bill establishes a set of financial incentives to encourage local adoption of growth management programs consisting of comprehensive plans and various implementation measures such as zoning ordinances. These incentives are designed to focus only on growth-related state financial assistance.

A more detailed summary of the bill as amended is available from the Office of Policy and Legal Analysis. Further information may also be obtained from the Office of Comprehensive Land Use Planning.

LD An Act to Clarify the Site Location of Development Law
2326

PUBLIC
760

SPONSOR(S)

CLARK N
ESTES
MURPHY T
ROLDE

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-394

SUMMARY

The original bill would have limited the Department of Environmental Protection review of Site Location applications to the consideration of only those traffic impacts from proposed major developments which occur on roads actually contiguous with the proposed development.

The committee amendment requires the Department to consider both on and off site traffic movement and limits the consideration of off site impacts to roads "in the vicinity of the proposed development". This amendment further directs the Department to report back to the Legislature on its efforts to update and revise the traffic criteria of the Site Location Law. The Department is directed to adopt rules on this topic by January 15, 1989 and submit the rules to the Committee for review.