

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

SPONSOR(S)
BOST
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COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill proposed to address the cumulative impact of commercial and industrial development on ground water quality by requiring the Department of Environmental Protection to develop performance standards for commercial and industrial development over ground water aquifers mapped by the Maine Geologic Survey. Proposed actions not in compliance with these standards would have had to receive a variance from the Board of Environmental Protection. The bill also would have required the Maine Geologic Survey to identify and map bedrock aquifers throughout the State.

The Department of Environmental Protection would have been required to develop rules outlining acceptable commercial and industrial development over aquifers that would not jeopardize their quality. Landowners would have been required to notify the department within 30 days of starting a development activity. Variances would have been granted by the Board of Environmental Protection when an applicant proved that proposed activities would not put ground water resources at risk.

The Maine Geologic Survey testified that knowledge of and mapping of bedrock aquifers was not far extensive enough to undertake this program.

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COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-114

SUMMARY

The amendment (S-114), which replaced the original bill, clarifies the registration of municipalities under the Site Location of Development Law. It does not impose additional review requirements on a municipality but does allow the Department of Environmental Protection to avoid duplicative reviews of certain projects.

The current authority for municipal review of subdivisions is expanded under this bill to include structures and projects with significant areas of nonvegetated land. To be eligible for this process, a municipality must have a local ordinance and review process that is at least as stringent as the statutes, regulations and process used by the department to determine compliance. The municipality also must have access to professional planners.

The amendment differs from the original bill in that it explicitly makes this process voluntary for municipalities that qualify. It also requires the department to make available a list of projects pending under this provision and provide technical assistance to municipalities undertaking review.

The requirements for the department to exert state jurisdiction over projects are expanded and appeal provisions are set forth in statute.