

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)

KANY
TITCOMB
TWITCHELL
SIMPSON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

S-41

SUMMARY

This bill facilitates the creation of watershed and lake management associations.

The bill gives a voting role to water districts which use surface water resources in the territory of the watershed or lake management association. Each water district may appoint a trustee to the board of the association. The bill makes each water district responsible for a percentage of the operating costs of the association. The trustees, at their initial organization meeting, will agree upon the appropriate share. The intention is to give water utilities a voice in decision-making affecting the water resources they utilize and to give the associations access to the financial and technical support of the utilities.

The bill also seeks to enhance the role of the public by requiring that voters approve the association's initial budget. Current law provides that, if voter approval cannot be obtained by July 1st of a given year, the association's proposed budget automatically becomes its approved budget. Under the bill, this automatic approval provision applies only to ensuing budgets. An association's first budget must be approved by the voting public.

Finally, the bill allows municipalities to allocate their share of the budget among themselves by a method other than that provided for by current law, e.g. on the basis of each town's shorefront along the district's great ponds, if the municipalities unanimously agree to a different method.

The committee amendment (S-41) added an emergency preamble and clause to the bill and allowed water districts to recover the costs for participation in any district in their next rate case.

LD 682 **An Act to Replace the Large Lot Exceptions Under the Site
Location of Development Law with a Low-density Exception**

ONTP

SPONSOR(S)

DEXTER
GOULD R A

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill proposed to replace the current 5 and 10 acre lot exemptions under the Site Location of Development Laws with an exemption for subdivisions with similar average density but with no minimum lot size requirement. The new exemption would have required that at least 50% of the parcel's area be preserved by conservation easement or deed restriction as natural area or for low-intensity forest, agricultural or recreational use. The bill also required that certain minimum standards, such as erosion and sedimentation control measures, be adopted in the subdivision. The bill would have provided a means for developers of environmentally sound, low-density subdivisions to avoid the lengthy review process at the Department of Environmental Protection. It would also result in the voluntary preservation of reasonably sized units of open space, while reducing the subdivision's up-front development costs.

While the committee generally supported the concept of the bill, it felt the proposal was not concise or legally precise enough to enact at this time.