

# 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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Sen. Margaret G. Ludwig

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\* Denotes Chair

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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.

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| MICHAUD           | OTP-AM                  | H-314                     |
| HIGGINS           |                         | S-205 BUSTIN              |

SUMMARY

This bill makes a number of changes and corrections to the local subdivision law.

The first change is to clarify that the shoreland zone reference is not limited to the shoreland area defined in the Maine Revised Statutes, Title 38, section 435, for purposes of the 40-acre lot exemption. Any such lots that are contained within the shoreland zone as defined in Title 38, section 435, must be the subject of a subdivision review; however, a number of municipalities have a definition of the shoreland zoning area that includes other land than that which is included within the definition in Title 38, section 435. This change clarifies that all of the shoreland area as defined by local ordinance must be reviewed to determine whether a 40-acre lot is exempt from review or whether it is subject to review.

The second change proposed to the subdivision law is to expand the time for filing any variance that relates to a subdivision approval from 30 days to 90 days from the date upon which the plan is approved.

The committee amendment (H-314) corrects a technical error and the Senate amendment prevents a conflict with another bill passed this session.

LD 1621 **An Act to Ensure Notification and Participation by the Public in Licensing and Relicensing of Hydroelectric Dams and to Further Ensure the Equal Consideration of Fisheries and Recreational Uses in Licensing and Relicensing**

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| ROLDE             | OTP-AM                  | H-497                     |
| RUHLIN            |                         | H-515 MICHAUD             |
| CARTER            |                         |                           |
| JACQUES           |                         |                           |

SUMMARY

This bill, as amended, requires the State Planning Office to coordinate the development of river management plans to be used for guidance in hydropower licensing proceedings. The plans will be open to public comment and review and will set forth the State's policies and guidelines for resource management on impounded rivers.

This bill also coordinates public comment requirements as part of the the Federal Energy Regulatory Commission with the public participation requirements proposed in the original bill. Finally, the amendment provides an exemption for releasing information to the public that is protected from public disclosure elsewhere in Maine law. For example, archaeological sites would not be subject to public disclosure.

A House amendment (H-515) adds a fiscal note.