

# 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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Staff: Gro Flatebo, Legislative Analyst  
Tim Glidden, Principal Analyst  
Office of Policy & Legal Analysis  
Room 101, State House Sta. 13  
Augusta, ME 04333  
(207) 289-1670

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STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 289-1670

ANNIKA E. LANE  
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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>
COLES	OTP-AM	H-521
HOGLUND		H-614 JACQUES
MITCHELL		
ERWIN E		

SUMMARY

This bill, as amended, changes several provisions of the subdivision laws. Specifically the bill:

- \* enacts a clearer definition of a principal structure;
- \* clarifies that transferring land to a contiguous abuttor does not create a lot and adds a condition that the transfer not be made to avoid review as a subdivision;
- \* makes technical changes to the section defining outstanding river segments;
- \* requires affected municipalities to meet jointly to discuss a subdivision application if any portion of the proposed subdivision crosses a municipal boundary;
- \* requires that the municipality receive notice of an application where a proposed subdivision crosses or abuts the boundary of another municipality;
- \* clarifies language relating to the time limit for public hearing notices and decisions;
- \* allows a municipal reviewing authority to consider the impact of a proposed subdivision on a municipality's sewage treatment plant in determining whether to grant a permit. The bill also broadens the scope of review for detrimental effects on lakes, ponds, and wetlands;
- \* clarifies how the determination will be made as to whether the subdivision is in a flood-prone area;
- \* includes a criterion for adequate provision of storm water;
- \* enacts a penalty for constructing or developing a subdivision or transferring any lot that is not in accordance with the approved plans;
- \* requires a municipal reviewing authority to develop findings of fact for their decisions relating to amendments on revisions of subdivision applications;
- \* enacts language to remove from review under the site location of development law, subdivisions of less than 20 acres that were part of a larger parcel. This reverses a change enacted last year as part of the comprehensive growth management package. This provision is retroactive; and
- \* clarifies that permits issued by a municipality registered to grant certain site location of development permits are considered state permits if the department does not exert jurisdiction within 45 days.

A House amendment (H-614) allows municipalities to deny a subdivision application if the project will have an undue impact on identified wildlife resources.