

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

JUNE 1990

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**One Hundred and Fourteenth Legislature  
Second Regular Session**

**Joint Standing Committee  
Bill Summaries**

**June 1990**

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. 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 or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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)**PRAY  
MARTIN J  
KANY  
MICHAUD**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**S-480  
S-717 PEARSON**SUMMARY**

This resolve establishes the Commission to Study the Use of Herbicides. The commission will study the current use of herbicides in the State's forest industry and gather information on the effects of that use. Its final report will be made to the Legislature by December 1, 1990.

The committee amendment (S-480) changes the original resolve to add 2 additional members to the commission, specify that 2 public hearings will be held, allow the commission to draw on the staff of the Department of Conservation and the Pesticides Control Board, amend the appropriation to reflect the expanded membership and more clearly define the role of the commission.

A Senate amendment (S-717) limits the compensation of membership exclusively to legislative members of the commission.

**LD 1846     An Act to Require Mitigation for Land Use Violations within  
the Shoreland Zone****PUBLIC 727****SPONSOR(S)**RICHARDS  
STEVENS P  
TUPPER  
TITCOMB**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-803

**SUMMARY**

This bill, as amended by the committee (H-803), makes the mitigation of shoreland zoning violations mandatory except under circumstances in which mitigation would result in substantial injustice or hazard. It also corrects a conflict and changes economic benefit penalties from per-day assessments to a one-time assessment. The court is given discretion on whether to assess penalties for other violations on a per-day basis.

**LD 1874     An Act to Correct the Subdivision Laws****PUBLIC 772****SPONSOR(S)**MICHAUD  
DEXTER  
HOGLUND**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-843

**SUMMARY**

This bill, as amended by the committee (H-843), stipulates that the placement or construction of 3 or more dwelling units on a lot within the jurisdiction of the Maine Land Use Regulation Commission requires subdivision review by the Commission. This action makes provisions for subdivision review under the Maine Land Use Regulation Commission consistent with provisions for local subdivision review in organized municipalities.

The bill clarifies that exemptions under municipal subdivision are not available to a transferor whose