

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES**

AUGUST 1991

Staff:
Tim Glidden, Principal Analyst
Gro Flatebo, Legislative Analyst
Patrick Norton, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 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

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

LD 227 An Act to Provide Equity in the Natural Resources Protection Laws

PUBLIC 76

SPONSOR(S) BRAWN	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED S-43
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SUMMARY

This bill proposed amendments to the natural resources protection laws that would have allowed permits to be granted that limited the time a development could be used if such a limitation on time would mitigate the development's impact on wildlife.

Committee amendment "A" (S-43) replaced the bill. The amendment requires the Governor, when making appointments to the Maine Land Use Regulation Commission, to actively seek and give consideration to persons residing on coastal unorganized islands.

LD 237 An Act Regarding the Closure of Certain Landfills

ONTP

SPONSOR(S) MARSANO GOULD R R LORD	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have provided a temporary solid waste disposal alternative for those towns that rely on incineration facilities if the disposal contracts with those facilities were being renegotiated.

LD 245 An Act to Expedite Erosion Control on the Shoreline of Sebago Lake in the Town of Standish

ONTP

SPONSOR(S) GREENLAW	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have authorized expedited erosion control on the shoreline of Sebago Lake in the Town of Standish. It authorized the placement, construction or repair of riprap, retaining walls or erosion control devices on land adjacent to Sebago Lake within the Town of Standish with a permit from the Standish code enforcement officer. Under current law, such placement, construction or repair requires a permit from the Department of Environmental Protection.

LD 246 An Act Assuring Clean Waters in Maine

**PUBLIC 530
EMERGENCY**

SPONSOR(S) MARSH ADAMS HOLLOWAY TREAT	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-331 S-390 TITCOMB
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SUMMARY

The original bill required state agencies and municipalities to use water conservation devices whenever possible. Provisions of this bill were incorporated into LD 804.

The committee amendment (H-331) replaced the bill with Part A of LD 77 to continue the Commission to Study Maine's Oil Spill Clean-up Preparedness until June 30, 1992. This amendment:

1. Extends the allocation of existing funds for the commission until June 30, 1992. The bill does not allocate any new funds for the commission;
2. Requires the Department of Environmental Protection to provide reports to the commission by June 30, 1991, and quarterly thereafter, on:
 - A. Its progress in rulemaking;
 - B. The state oil spill contingency plan;
 - C. The sensitive area identification and protection system;
 - D. The wildlife rehabilitation plan;
 - E. The possibility of a Gulf of Maine oil spill compact; and
 - F. The availability of oily debris disposal facilities; and
3. Requires the commission to report to the Legislature by November 1, 1991, on:
 - A. The progress of the new federal, state and industry response initiatives;
 - B. The relationship between the new federal fund and the existing Maine Coastal and Inland Surface Oil Clean-up Fund; and
 - C. Any recommendations for further state legislative or administrative action.

A Senate amendment (S-390) adds two more members to the commission.

LD 256 An Act to Allow a Municipality to Assess an Administrative Penalty for Violations of Timber Harvesting and Vegetation Clearing Provisions of the Shoreland Zoning Laws ONTP

SPONSOR(S) HICHBORN	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have authorized the municipal officers of a town to enforce the timber harvesting and vegetation cutting provisions of a local shoreland zoning ordinance through the direct administrative assessment of fines.

LD 295 An Act to Amend Certain Definitions in the Laws Governing Solid Waste ONTP

SPONSOR(S) BOUTILIER GOULD R A	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have replaced the current definition of aseptic packaging with the substance of the