

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 far right of the title. Various types of final action are abbreviated as follows:

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

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, 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 2140 **An Act Regarding Growth Management**

PUBLIC 722
EMERGENCY

SPONSOR(S)
TITCOMB
LORD
JACQUES

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-573

SUMMARY

This bill would have amended the laws governing the growth management program. The statutory provisions amended by this bill were repealed on December 23, 1991 by PL 1991, chapter 622.

Committee amendment "A" (S-573) replaced the entire bill, changed the title of the bill, added an emergency preamble and made the provisions of the bill retroactive to December 23, 1991.

This amendment repeals references to the former Office of Comprehensive Land Use Planning that were not repealed when that office was abolished in Public Law 1991, chapter 622, Part F. The amendment also changes the definition of "office," as used in the Maine Revised Statutes, Title 30-A, chapter 187 from the former Office of Comprehensive Land Use Planning to the existing Office of Community Development in the Department of Economic and Community Development.

This amendment also enacts a savings clause that is intended to clarify ambiguities in the law created by enactment of Public Law 1991, chapter 622 pertaining to the status of comprehensive land use plans and zoning ordinances adopted by municipalities prior to December 23, 1991 and municipal authority with respect to adoption of impact fee ordinances. The savings clause also requires that, by January 1, 1998, all land use ordinances in a town that received a planning grant and an implementation grant from the former Office of Comprehensive Land Use Planning prior to December 23, 1991 conform to a comprehensive plan. Land use ordinances in towns that did not receive both those grants prior to December 23, 1991 must conform to a comprehensive plan by January 1, 2003. Language is also reenacted that permits the office to carry remaining balances forward twice.

This amendment also repeals the changes made to Title 30-A, section 426 by Public Law 1991, chapter 622 pertaining to the contents of a comprehensive plan in order to retain in law some guidelines for municipalities choosing to develop local growth management plans.

LD 2141 **An Act to Amend Maine's Underground Oil Storage Tank Laws**

PUBLIC 763
EMERGENCY

SPONSOR(S)
TITCOMB
ANDERSON

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-613

SUMMARY

The committee amendment (S-613) replaces the original bill. It defines a public drinking water supply to be consistent with the statutory definition used by the Department of Human Services. Sensitive geologic areas are defined in some cases by their proximity to public drinking water supplies. Section 1 exempts convenience stores that serve coffee and other beverages from the definition of public water supply for the purposes of defining a sensitive geologic area. These facilities will not be required to remove their nonconforming underground oil storage tanks on an expedited schedule.

Section 2 allows a gas station to open for business during remediation work for a leak if there is no threat to public health or safety. It also limits site assessments for a tank removal performed by a professional geologist or engineer to those removals occurring in sensitive geologic areas. Small