

# STATE OF MAINE 116TH LEGISLATURE

# FIRST REGULAR SESSION

# BILL SUMMARIES JOINT STANDING COMMITTEE ON ENERGY AND NATURAL RESOURCES

JULY 1993

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### ONE HUNDRED AND SIXTEENTH LEGISLATURE FIRST REGULAR SESSION

## JOINT STANDING COMMITTEE BILL SUMMARIES

## JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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 Chapter # of enacted Public Law P&S XXX Chapter # of enacted Private & Special Law **RESOLVE XXX** Chapter # of enacted Resolve Chapter # of Constitutional Resolution passed by both Houses CON RES XXX Enacted law takes effect sooner than 90 days EMERGENCY CARRIED OVER Bill carried over to Second Session Ought Not to Pass report accepted ONTP ENACTMENT FAILED Bill failed to get majority vote **INDEF PP** Bill Indefinitely Postponed FAILED EMERGENCY ENACTMENT Emergency bill failed to get 2/3 vote FAILED MANDATE ENACTMENT Bill imposing local mandate failed to get 2/3 vote DIED BETWEEN BODIES House & Senate disagree; bill died CONF CMTE UNABLE TO AGREE Committee of Conference formed but unable to agree **VETO SUSTAINED** Legislature failed 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.

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

4693NRG

### SUMMARY

This bill would have clarified that mandatory energy efficiency standards for residential construction do not apply to any reconstruction, removal or replacement of any portion or element of an existing single-family residential building. It also would have amended exemptions to the standards by limiting the single-family residence exemption to single-family residences physically constructed by the person who owns and lives in the building.

# LD 474 An Act Increasing the Threshold Size for Gravel Pits ONTP Subject to State Review under the Site Location of Development Laws

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|------------|------------------|--------------------|
| ANDERSON   | ONTP             |                    |

#### SUMMARY

This bill would have increased the threshold size of gravel pits subject to review by the Department of Environmental Protection under the site location of development laws from gravel pits that are less than 5 acres to gravel pits that are less than 10 acres. A borrow pit that received a site law permit prior to the effective date of this Act from the Department of Environmental Protection would have been required to continue to comply with the provisions of that permit.

| LD 479 | An Act Concerning the Use of Fines Collected for | ONTP |
|--------|--|------|
|        | Environmental Laws Violations                    |      |

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|------------|------------------|--------------------|
| BUTLAND    | ONTP             |                    |

#### SUMMARY

This bill would have created the Maine Environmental Remediation and Mitigation Fund. Revenues for the fund would have been derived from the fines paid by violators of the State's environmental laws. The Commissioner of Environmental Protection would have been authorized to undertake clean-up projects to remedy the damages caused by these violators. Should any surplus have been available, the commissioner would have been authorized to apply those funds to other clean-up projects. An annual report to the Legislature would have been required.

| LD 482 | An Act to Provide an Adequate Period for the Adoption of<br>Local Ordinances |                  |                    | PUBLIC 73<br>EMERGENCY |
|--------|--|------------------|--------------------|------------------------|
|        | SPONSOR(S)   | COMMITTEE REPORT | AMENDMENTS ADOPTED |                        |

OTP-AM

#### SUMMARY

This bill would have delayed the deadline for a municipality to develop and adopt ordinances for its comprehensive plan by allowing previous zoning ordinances to remain in effect until at least January 1, 1995. This bill also would have allowed the Office of Community Development within the Department of Economic and Community Development to make implementation grants in anticipation of municipal adoption of a comprehensive plan.

S-53

TITCOMB

Committee amendment "A" (S-53) adds an emergency preamble and an emergency clause to the bill. The amendment also changes the date in the bill that pertains to the deadline for the adoption of ordinances by towns that have adopted a comprehensive plan from January 1, 1995 to July 1, 1994. The amendment also strikes that section of the bill that permits the Office of Community Development to issue implementation grants to towns before the adoption of a comprehensive plan.

### LD 487 An Act Concerning Closure of Municipal Landfills

SPONSOR(S)COMMITTEE REPORTAMENDMENTS ADOPTEDWEBSTERONTP

### SUMMARY

This bill would have eliminated the December 31, 1992 operating deadline for licensed and unlicensed municipal solid waste landfills. The bill also would have allowed municipal landfills to continue operating unless the commissioner finds that a landfill is adversely affecting the public health or polluting the environment.

| LD 501 | An Act to Correct Errors and Inconsistencies in the Growth | PUBLIC 166 |
|--------|--|------------|
|        | Management Laws  |            |

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|------------|------------------|--------------------|
| ANDERSON   | OTP-AM           | H–218              |

### SUMMARY

This bill as amended (H-218) corrects a series of technical problems resulting from recent amendments to the laws governing growth management contained in Public Law 1991, chapters 722 and 780.

| LD 505 | An Act to Set a Moratorium on Issuing Permits for Septic<br>Tanks |                  |                    | ONTP |
|--------|---|------------------|--------------------|------|
|        | SPONSOR(S)  | COMMITTEE REPORT | AMENDMENTS ADOPTED | )    |

ONTP

### SUMMARY

NICKERSON

This bill would have imposed a moratorium on a municipality's issuance of new permits for subsurface wastewater disposal systems if that municipality is not in compliance as of August 31, 1993 with the laws that require each municipality to provide for the disposal of all refuse, effluent, sludge and any other materials from all septic tanks and cesspools located in that municipality. The bill would have also amended current law to require that a municipality's disposal capacity be sufficient to handle its share of septage, and to add holding tanks to the list of systems for which the municipality is responsible for the disposal of septage.

# LD 506 An Act to Exempt Permitted Borrow Pit Operations from ONTP Municipal Shoreland Zoning Review

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|------------|------------------|--------------------|
| LORD       | ONTP             |                    |
| SUMMERS    |                  |                    |

ONTP