

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES

JULY 1997

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*Sen. John M. Nutting*

*Sen. Jeffrey H. Butland*

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**Maine State Legislature**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

**LD 767**

**An Act to Clarify Sanitary District and Sewer District Authority to Adopt Impact Fees**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	ONTP MAJ OTP-AM MIN	

LD 767 which was initially referenced to and reported out of the Natural Resources Committee, was re-referred to the Utilities and Energy Committee. The bill proposed to require that impact fees established by sewer or sanitary districts conform to the requirements of law that apply to impact fees established by municipalities.

**Committee Amendment "A" (H-145)**, the minority report of the Joint Standing Committee on Natural Resources, proposed to specify that it is the restrictions on the imposition of impact fees, and not the home rule authority to adopt impact fees, that apply to sanitary districts and sewer districts as well as to municipalities. This amendment was not adopted.

**Committee Amendment "B" (H-548)**, the minority report of the Joint Standing Committee on Utilities and Energy, proposed that impact fees collected by sewer and sanitary districts be subject to regulation by the Public Utilities Commission. This amendment was not adopted.

**LD 776**

**An Act to Exempt Permitted Auto Recyclers from the Solid Waste Management Rules**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MERES	ONTP	

LD 776 proposed to require that an automobile recycling business with an automobile recycling business permit issued by the municipality in which it is located meet the following standards for tire storage areas: the total area for tire storage must be less than 10,000 square feet by 10 feet high and fire lanes must be constructed and maintained.

The bill also proposed to exempt an automobile recycling business with an automobile recycling business permit from the Board of Environmental Protection's solid waste management rules relating to tire storage.

**LD 866**

**An Act to Amend the Law Concerning Municipal Review and Regulation of Subdivisions**

**PUBLIC 226**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTLAND TAYLOR	OTP-AM	S-129

LD 866 proposed to clarify the procedure for municipal review of a proposed subdivision that crosses municipal boundaries by requiring that all meetings to discuss the application be held jointly by the reviewing authorities from each municipality and that the subdivision regulations adopted by each municipality be considered and the stricter regulations applied when a decision is issued on the proposed subdivision.

**Committee Amendment "A" (S-129)** proposed to require that, when any portion of a subdivision crosses municipal boundaries, all meetings and hearings to review the application for the subdivision or a revision to the subdivision be held jointly by the reviewing authorities from each municipality. The requirement could be waived upon written agreement of the reviewing authorities.

The amendment also proposed to require that, when reviewing a subdivision that crosses municipal boundaries, the reviewing authorities consider and make a finding of fact regarding whether the proposed subdivision will cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located. The amendment also proposed to add a mandate preamble and a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 226 requires that, when any portion of a subdivision crosses municipal boundaries, all meetings and hearings to review the application for the subdivision or a revision to the subdivision be held jointly by the reviewing authorities from each municipality. The requirement may be waived upon written agreement of the reviewing authorities.

The law also requires that, when reviewing a subdivision that crosses municipal boundaries, the reviewing authorities consider and make a finding of fact regarding whether the proposed subdivision will cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

**LD 906**

**An Act to Facilitate Removal of Certain Licensed Overboard Discharges**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	ONTP MAJ	
KILKELLY	OTP-AM MIN	

LD 906 proposed to authorize sanitary and sewer districts that serve more than one municipality to construct an extension if that extension eliminates large licensed overboard discharges of 30,000 gallons per day or more thereby diverting the discharge into a district's treatment system. The bill proposed to require that the extension be a forced main construction with no direct connections except to eliminate another overboard discharge of 30,000 gallons per day or more. Any other service that did not meet these restrictions would have to receive the written assurance from the appropriate municipal officers as required by law.

**Committee Amendment "A" (H-393)**, the minority report of the Joint Standing Committee on Natural Resources, proposed to add a fiscal note to the bill. The amendment was not adopted.