

MAINE STATE LEGISLATURE

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ONE HUNDRED AND ELEVENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1984

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the Second Regular Session of the 111th Legislature. The summaries are arranged alphabetically, and indexed separately by committee.

<u>LD</u>	<u>TITLE</u>	<u>SPONSOR</u>	<u>DISPOSITION</u>
2440	AN ACT TO ENSURE STATEWIDE UNIFORMITY IN THE PROCEDURES FOR STRIP SEARCHES AND BODY CAVITY SEARCHES OF ARRESTEES BY LAW ENFORCEMENT OFFICERS WHILE RESPECTING THE CIVIL RIGHTS AND LIBERTIES OF ARRESTEES.	Joseph	PL. 1983, c. 789

SUMMARY: The purpose of this bill was to ensure statewide uniformity in the procedures for strip searches and body cavity searches of arrestees by law enforcement officers. It does not affect the current practice for "frisking" or "patting down" an arrestee. The Attorney General shall prepare and promulgate rules establishing acceptable procedures for conducting strip searches and body cavity searches which shall serve as a guide for all law enforcement officers.

2445	AN ACT TO PROVIDE FOR A CITIZENS ENVIRONMENTAL PROTECTION ACT (REPORTED PURSUANT TO PL C.458 OF 1983)		SEN. ACCEPTED MAJORITY NEW DRAFT REPORT HSE. INDEF. PP.
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SUMMARY: This new draft of LD 2026 narrowed the scope of the original bill. The new draft sought to permit a Maine resident to initiate an enforcement action for an alleged violation of the following land use laws: site location of development; alteration of coastal wetlands; great ponds; water pollution control concerning point source sanitary wastewater discharges; alteration of rivers, streams, and brooks; minimum lot size; and municipal shoreland zoning. Violations of the more major environmental laws were to be left to state enforcement. A resident would not have been able to sue the State or its' agencies or political subdivisions under the draft. The new draft provided that the commencement of a land use violation enforcement action by a Maine resident could not occur until sixty days following the giving of notice of intent to commence an action, to the Attorney General and any state administrator or municipality charged with administering the law. If, within the sixty day period, the Attorney General, administrator, or municipality commenced an enforcement action, or notified the resident that he or it would be commencing an enforcement action within thirty days, the resident's action could not be brought. If the state or municipal enforcement action was not brought, the resident could proceed with his action. The new draft would have required the resident's action to be brought in the judicial district where the alleged violation occurred.