

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1992

MEMBERS:

**Sen. Bonnie L. Titcomb
Sen. John E. Baldacci
Sen. Margaret G. Ludwig*

**Rep. Paul F. Jacques
Rep. James Mitchell
Rep. James Reed Coles
Rep. Annette M. Hoglund
Rep. Richard A. Gould
Rep. P. Kelley Simpson
Rep. Basil L. Powers
Rep. Willis A. Lord
Rep. Malachi Anderson
Rep. John F. Marsh*

**Denotes Chair*

Staff:

*Tim Glidden, Principal Analyst
Patrick Norton, Legislative Analyst
Gro Flatebo, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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
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.

SUMMARY

This bill would have prohibited the Maine Land Use Regulation Commission from restricting access to licensed landfills within its jurisdiction. The bill included provisions that would have explicitly provided for a license extension for the Down East Landfill until March 12, 1993, the date of submission of a site closure plan under the administrative order of consent regarding the same facility adopted by the Board of Environmental Protection on January 8, 1992.

LD 2198 An Act to Discourage Illegal Dumping of Waste

PUBLIC 867

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK M	OTP-AM MAJ	H-962 MAJ REP
TITCOMB	ONTP MIN	S-766 BRANNIGAN
HOGLUND		
MARSH		

SUMMARY

This bill allows the state to prosecute the owner of a registered vehicle involved in the illegal discharge of sewage, garbage or other pollutants into inland or coastal waters if the driver of the vehicle can not be identified. This bill is modeled on legislation enacted in the First Regular Session of the 115th Legislature that establishes a registered vehicle owner's liability for that vehicle illegally passing a school bus.

Committee amendment "A" (H-962) clarifies that the owner is subject to the general penalty provisions of Title 38.

Senate amendment "A" (S-766) clarifies that the bill does not impose a mandate on municipal or county governments.

LD 2201 An Act to Strengthen Compliance with Land Use Laws in the Unorganized Territories

PUBLIC 688

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARSH	OTP-AM	H-954
HOLLOWAY		
JACQUES		

SUMMARY

This bill provides for the certification of employees of the Maine Land Use Regulation Commission to utilize Court Rule 80K proceedings in the District Court involving alleged land use violations. Under current law, if voluntary settlement discussions fail, the only recourse currently available to the commission is to have the Attorney General's office file a law suit in the Superior Court. This bill allows certified employees of the commission to process minor violations in District Court without requiring the appearance of an attorney, similar to small claims proceedings.

A committee amendment (H-954) adds a fiscal note to the bill.