

# 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  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

JULY 1993

**Staff:**

*Tim Glidden, Principal Analyst  
Patrick Norton, Legislative Analyst  
Deborah Friedman, Legislative Analyst*

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

**MEMBERS:**

*\*Sen. Mark W. Lawrence  
Sen. Alton E. Cianchette  
Sen. Margaret G. Ludwig*

*\*Rep. Paul F. Jacques  
Rep. James Mitchell  
Rep. James Reed Coles  
Rep. Richard A. Gould  
Rep. Virginia Constantine  
Rep. Thomas E. Poulin  
Rep. Jason D. Wentworth  
Rep. Willis A. Lord  
Rep. Malachi Anderson  
Rep. John F. Marsh*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
MARION HYLAN BARR  
JON CLARK  
LISA COPENHAVER  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
JILL IPPOLITI



JOHN B. KNOX  
ROY W. LENARDSON  
PATRICK NORTON  
JANE ORBETON  
MARGARET J. REINSCH  
PAUL J. SAUCIER

JOHN G. KELLEY, RESEARCHER  
DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**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*

*P&S XXX*

*RESOLVE XXX*

*CON RES XXX*

*EMERGENCY*

*CARRIED OVER*

*ONTP*

*ENACTMENT FAILED*

*INDEF PP*

*FAILED EMERGENCY ENACTMENT*

*FAILED MANDATE ENACTMENT*

*DIED BETWEEN BODIES*

*CONF CMTE UNABLE TO AGREE*

*VETO SUSTAINED*

*UNSIGNED*

*DIED ON ADJOURNMENT*

*Chapter # of enacted Public Law*

*Chapter # of enacted Private & Special Law*

*Chapter # of enacted Resolve*

*Chapter # of Constitutional Resolution passed by both Houses*

*Enacted law takes effect sooner than 90 days*

*Bill carried over to Second Session*

*Ought Not to Pass report accepted*

*Bill failed to get majority vote*

*Bill Indefinitely Postponed*

*Emergency bill failed to get 2/3 vote*

*Bill imposing local mandate failed to get 2/3 vote*

*House & Senate disagree; bill died*

*Committee of Conference formed but unable to agree*

*Legislature failed to override Governor's Veto*

*Not signed by Governor within 10 days*

*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

**LD 100**      **An Act to Classify the Medomak River**

PUBLIC 32

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
BOWERS	OTP-AM	H-45

**SUMMARY**

This bill adds the Medomak River to the statutory classification of major river basins and gives a portion of the river the water quality classification of A.

The committee amendment (H-45) moves the boundary between the new Class A waters and the existing Class B waters upstream on the Medomak River to the Wagner Bridge Road in Waldoboro, Maine.

**LD 102**      **An Act to Amend the Energy Policy of the State**

ONTP

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
HOLT	ONTP      MAJ	
	OTP-AM    MIN	

**SUMMARY**

This bill would have added environmental considerations to the list of factors considered by the Public Utilities Commission in least cost planning.

The minority report of the Joint Standing Committee on Energy and Natural Resources (H-30) would have appropriated \$100,000 in each fiscal year to the Public Utilities Commission for consulting and rulemaking activities related to the bill.

**LD 103**      **An Act to Utilize Local Enforcement Mechanisms for Land Use Violations**

PUBLIC 23

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
SPEAR	OTP-AM	H-28
		H-39    JACQUES

**SUMMARY**

This bill would have prohibited the Department of Environmental Protection from investigating a complaint or allegation of a violation of a land use law or rule, including those pertaining to protected natural resources and shoreland zoning, unless the complaint or allegation is first referred back to the local code enforcement officer and the code enforcement officer then refers the matter back to the department. The bill would also have granted enforcement authority of the protected natural resources laws to local code enforcement officers.

Committee amendment "A" (H-28) replaced the bill. The amendment allows a certified code enforcement officer to enforce the natural resources protection laws if that person is authorized by a municipality to represent the municipality in District Court and is certified by the Commissioner of Human Services as familiar with court procedures. The Maine Rules of Civil Procedure, Rule 80K govern proceedings in District Court for prosecutions of land use violations and permit persons who are not attorneys to prosecute land use violations if they are authorized by the municipality and certified as being familiar with court procedures.