

# 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

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

MAY 1994

**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  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1994**

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, 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*

*ONTP*

*INDEF PP*

*FAILED ENACTMENT*

*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*

*Ought Not to Pass report accepted*

*Bill Indefinitely Postponed*

*Bill failed to get majority vote*

*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 unable to agree; bill died*

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

5581LHS

**LD 975**

**An Act to Allow for the Use of Multi-layered Packages**

ONTP

**SPONSOR(S)**

BUSTIN  
ALIBERTI

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have amended the State's ban on composite beverage containers to allow the sale of aseptic beverage packing (juice boxes). This beverage packaging would also have been exempt from the bottle deposit laws. The substance of this bill was incorporated into the majority committee report on LD 256 and was subsequently enacted.

**LD 990**

**An Act to Supplement Environmental Enforcement**

ONTP

**SPONSOR(S)**

COLES

**COMMITTEE REPORT**

ONTP MAJ  
OTP-AM MIN

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have allowed a Maine resident to initiate an enforcement action for an alleged violation of laws protecting the environment and the State's natural resources.

The minority amendment would have provided that citizen suits are available only for violation of laws, rules, orders, ordinances, permits and licenses contained in or issued under the Maine Revised Statutes, Title 38 or Title 30-A, chapter 187, regarding local land use ordinances. The amendment also would have prohibited the court from awarding costs or attorney's fees to any party in a citizen suit and prohibited the initiation of a citizen suit if the Department of Environmental Protection, a municipal officer or the Attorney General is pursuing informal action that corrects the violation. Finally, the amendment deleted a provision permitting intervention in administrative or Attorney General enforcement actions, as a matter of right, for any affected person.

**LD 1290**

**An Act to Amend the Shoreland Zoning Laws**

ONTP

**SPONSOR(S)**

ST. ONGE

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

LD 1290 proposed to prohibit the Department of Environmental Protection from requiring that towns zone areas around moderate value wetlands as resource protection in their shoreland zoning ordinances. The bill also proposed to prohibit the establishment of resource protection districts that extend more than 100 feet around high value wetlands and to require that the Commissioner of Environmental Protection establish definitions for low, moderate and high value wetlands.

**LD 1446**

**An Act to Establish an Ambient Water Toxics Program**

PUBLIC 720

**SPONSOR(S)**

COLES

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-1072  
H-1091 MARTIN J

**SUMMARY**

This bill requires the development and implementation of a comprehensive, five-year program to monitor the waters of the State for toxic contamination. This bill was introduced in direct response to a legislative initiative in 1992, P.L. 1991, chapter 735.