

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

1991-92 1992-93

Article 1-F

PUBLIC UTILITIES COMMISSION

Public Utilities Commission
Regulatory Fund

Personal Services	\$683,166	\$793,604
All Other	411,834	746,396

Funds to be used for increases in personnel and general operating expenses and to fund 22 positions previously transferred from the General Fund.

PUBLIC UTILITIES COMMISSION TOTAL	<u>\$1,095,000</u>	<u>\$1,540,000</u>
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Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 18, 1991.

CHAPTER 344

S.P. 679 - L.D. 1801

An Act to Clarify the Termination of Intensive Supervision

Be it enacted by the People of the State of Maine as follows:

17-A MRSA §1262, sub-§4-A is enacted to read:

4-A. If, while on the Intensive Supervision Program, a prisoner is convicted of another crime, that person is no longer suitable for participation in the Intensive Supervision Program and the Department of Corrections shall petition the court to require the prisoner to serve in institutional confinement the remaining portion of the unsuspended term that was to have been served in the Intensive Supervision Program.

See title page for effective date.

CHAPTER 345

H.P. 987 - L.D. 1432

An Act to Establish and Implement the Maine Nonpoint Source Pollution Control Program

Be it enacted by the People of the State of Maine as follows:

38 MRSA c. 3, sub-c. I, art. 1-F is enacted to read:

NONPOINT SOURCE POLLUTION PROGRAM

§410-H. Definitions

As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

1. Best management practice guidelines. "Best management practice guidelines" means recommended techniques or procedures or a combination of techniques or procedures that are determined by the appropriate agency identified in section 410-J to be the most effective practicable means of preventing or reducing pollution generated by nonpoint sources.

2. Nonpoint source. "Nonpoint source" means any source, excluding any source defined as a direct discharge in section 466, that discharges pollutants into the surface or ground waters of the State, including, but not limited to, sources related to agriculture, construction and maintenance of bridges, railways and roads, forest management and commercial, industrial or residential development.

§410-I. Cooperation with agencies

1. Agency cooperation. The commissioner shall cooperate and coordinate with the Commissioner of Agriculture, Food and Rural Resources; the Commissioner of Conservation; the Commissioner of Transportation; the Commissioner of Economic and Community Development; the Commissioner of Human Services; the Commissioner of Marine Resources; and the Director of the State Planning Office to ensure a coordinated approach to nonpoint source pollution control for agriculture, forestry, transportation and development.

2. Ranking of watersheds. In cooperation with the commissioner, the agencies identified in subsection 1 shall identify those watersheds that should receive highest priority for corrective action for nonpoint source pollution.

§410-J. Program implementation

1. Agriculture. The Department of Agriculture, Food and Rural Resources shall develop best management practice guidelines to reduce and prevent nonpoint source pollution from agricultural activities. The Department of Agriculture, Food and Rural Resources may recommend to farmers the use of best management practice guidelines.

2. Forestry. The Department of Conservation, Bureau of Forestry in cooperation with the commissioner shall develop best management practice guidelines to reduce and prevent nonpoint source pollution from wood harvesting and forest management activities. The Bureau of Forestry may publish best management practice guidelines for use by landowners and wood harvesters. Landowners and wood