

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 13, 1993

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
1993

RESOLVES
OF THE
STATE OF MAINE
AS PASSED AT THE
FIRST REGULAR SESSION
of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE
1993

any recommended legislation to the Joint Standing Committee on Appropriations and Financial Affairs by November 15, 1993.

See title page for effective date.

CHAPTER 15

H.P. 122 - L.D. 163

Resolve, for Amending the Laws Pertaining to Job Classification Specifications

Sec. 1. Department of Administrative and Financial Services authorized to reclassify certain executive department positions. Resolved: That the Department of Administrative and Financial Services shall conduct a personnel audit of the unclassified positions in the Maine Revised Statutes, Title 5, sections 931 to 953-A in the executive branch and make recommendations on the reclassification of those positions to classified positions. The department shall exempt the commissioner and one additional employee in each department, who shall serve as the 2nd highest-ranked employee in that department. A department may request additional exemptions. A request for additional exemptions must be prioritized in writing and include a justification for the request. These requests must be included in the final report; and be it further

Sec. 2. Reporting date established. Resolved: That the Department of Administrative and Financial Services shall report its findings, including any implementing legislation, to the Second Regular Session of the 116th Legislature by January 1, 1994.

See title page for effective date.

CHAPTER 16

H.P. 609 - L.D. 824

Resolve, to Direct the Department of Environmental Protection to Develop a Report Regarding the Feasibility of the State Applying to Assume Permitting Jurisdiction over Federal Wetlands

Sec. 1. Department of Environmental Protection duties. Resolved: That no later than February 1, 1995, the Department of Environmental Protection, in cooperation with the State Planning Office, shall prepare and submit a report to the Joint Standing Committee on Energy and Natural Resources examining the feasibility of an application to the Environmental Protection Agency to assume state authority over the permitting of wetlands under the United States Clean Wa-

ter Act, Section 404. The report must examine the increased efficiencies and enhanced protection that could result from consolidating federal and state regulation of wetlands; any statutory or regulatory changes that would have to be made to the State's wetlands protection program; the staff and technical and financial resources that assumption of the federal program would require; and any other methods or options possible for reducing duplication and inefficiencies in the wetland permitting process. The report must be accompanied by any proposed legislation that may be necessary to implement the report's recommendations; and be it further

Sec. 2. Work group. Resolved: That the Director of the Bureau of Land Quality Control, in cooperation with the State Planning Office, shall convene a working group consisting of a balanced representation of conservation and development interests, as well as federal and state agencies involved in the protection and regulation of wetlands. The working group must be consulted in all phases of the report's development and conclusions; and be it further

Sec. 3. Staffing; contingency. Resolved: That the responsibilities of the Department of Environmental Protection and the State Planning Office set forth in this resolve are contingent upon the State Planning Office receiving a federal grant to prepare a state wetland conservation plan and the establishment by this Legislature of a federally funded one-year project position at the State Planning Office. If that grant is received and that position is created, the State Planning Office shall provide staffing support to the Department of Environmental Protection to fulfill the requirements of this resolve; and be it further

Sec. 4. Allocation. Resolved: That the following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this resolve.

	1993-94	1994-95
EXECUTIVE DEPARTMENT		
State Planning Office		
Positions- Other Count	(1.0)	(1.0)
Personal Services	29,420	9,807
All Other	26,830	8,943
Provides authorization and allocations for one Senior Planner position necessary to conduct required federal wetlands study.		
EXECUTIVE DEPARTMENT TOTAL	\$56,250	\$18,750

See title page for effective date.