

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

MAY 1988

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Sen. Zachary Matthews  
Sen. Margaret G. Ludwig

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Rep. Paul F. Jacques  
Rep. James Mitchell  
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Rep. Richard A. Gould  
Rep. Edward L. Dexter  
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Rep. Willis A. Lord  
Rep. Malachi Anderson

\* Denotes Chair

Staff: Tim Glidden, Legislative Analyst

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*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 summaries are arranged by LD number under each committee.*

*All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

|                  |  |
|------------------|--|
| <b>OTP</b>       | <b>Ought to Pass</b>                         |
| <b>OTP-ND</b>    | <b>Ought to Pass in New Draft</b>            |
| <b>OTP-ND-NT</b> | <b>Ought to Pass in New Draft, New Title</b> |
| <b>OTP-A</b>     | <b>Ought to Pass as Amended</b>              |
| <b>ONTP</b>      | <b>Ought Not to Pass</b>                     |
| <b>LVWD</b>      | <b>Leave to Withdraw</b>                     |
| <b>INDEF PP</b>  | <b>Indefinitely Postponed</b>                |

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

**LD 2270** An Act to Restrict the Department of Environmental Protection from Hiring Independent Legal Counsel to Oppose the Attorney General Unless Authorized by the Legislature LV/WD

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL          | LV/WD                   |                           |
| MICHAUD           |                         |                           |
| OLIVER            |                         |                           |
| MCGOWAN           |                         |                           |

**SUMMARY**

The bill would have required legislative approval before the Department of Environmental Protection could employ private legal counsel. Existing law requires approval by the Attorney General before a State agency may employ private legal counsel.

**LD 2273** An Act to Enable the Creation of Watershed Districts ND 2610

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| KANY              | OTP-ND                  |                           |
| TRACY             |                         |                           |
| JACQUES           |                         |                           |
| LACROIX           |                         |                           |

**SUMMARY**

Replaced By LD 2610

**LD 2289** An Act to Prohibit the Establishment of Docking Condominiums on Tidewaters, Lakes and Great Ponds PUBLIC 765

| <u>SPONSOR(S)</u> | <u>COMMITTEE REPORT</u> | <u>AMENDMENTS ADOPTED</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL          | OTP-AM                  | H-585                     |
| OLIVER            |                         | S-436 USHER               |
| HOLLOWAY          |                         |                           |
| RAND              |                         |                           |

**SUMMARY**

The original bill would have prohibited the state from leasing any submerged public lands for development as "docking condominiums", a term defined to mean berthing space which is leased for periods of more than one year. Other prohibitions on this type of development were also proposed.

The committee amendment establishes a five year limit on subleases of berthing space from any existing or proposed lease of submerged land. In addition, this amendment enacts several new statutory leasing criteria governing the Bureau of Public Land's consideration of applications for new leases of submerged land. Both of these provisions are to be repealed 91 days after the adjournment of the First Regular Session of the 114th Legislature. In the interim the Bureau is directed to conduct a study of current submerged lands leasing policy and its impact on marine-related activities. The Bureau will report back to the Legislature by January 1, 1989.