

MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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 for 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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was 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, and especially Laurette Knox who coordinated preparation of the overall document.

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

LD 2192 **An Act to Reduce Toxics Use, Toxics Release and Hazardous Waste Generation**

VETO SUSTAINED

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUTHER	OTP-AM MAJ	H-1082 MAJ REP
KANY	ONTP MIN	
RAND		
JACQUES		

SUMMARY

This bill, as amended by the committee (H-1082), proposed to reduce the use of toxic or hazardous materials and reduce the production of hazardous waste. Provisions of this bill were substantially similar to those enacted in LD 2507.

LD 2193 **An Act to Clarify the Qualifications for Membership on the Citizens' Forestry Advisory Council**

**PUBLIC 634
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY	OTP	
MICHAUD		
ANDERSON		
LUDWIG		

SUMMARY

This bill amends the statutory criteria governing the qualifications of members to the Citizens' Forestry Advisory Council. The bill provides additional guidance for appointing members to assure that a balanced representation of views and interests is provided. The bill also repeals a provision which previously limited the number of council members who were employees of an entity with a financial interest in the forest resource.

LD 2194 **An Act Allowing Water Utilities to Sue for Injunctive Relief Regarding Lake Water Quality**

PUBLIC 733

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY	OTP-AM	S-535
SIMPSON		
LORD		
TITCOMB		

SUMMARY

Under the original bill, a person would have been able to commence a civil suit for injunctive relief against any person, including the State or any of its subdivisions, for an alleged violation of the local shoreland zoning ordinance or violation of other local land use laws that regulate a lake watershed.

The bill, as amended by the committee (S-535), allows only water utilities to sue for injunctive relief in shoreland zoning violations. Several other requirements of the original bill are strengthened:

1. The prohibition on bringing a suit is expanded to include those instances in which a municipality is pursuing the violation;
2. A water utility commencing a civil action must notify the Department of Environmental Protection

and the municipality in addition to the violator. The Maine Land Use Regulation Commission must be notified if the violation allegedly occurs within its jurisdiction;

3. The action may be brought in either Superior Court or District Court; and
4. The Attorney General is allowed to intervene in these suits.

LD 2197 Resolve, to Establish the State Comprehensive Energy Plan Commission ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PARADIS E PRAY LORD MICHAUD	ONTP	

SUMMARY

This resolve would have established the State Comprehensive Energy Plan Commission to study the various options to meet the growing energy needs in the State and to develop a comprehensive energy plan for the State.

LD 2201 An Act to Create the Maine Coast Environmental Trust Fund PUBLIC 903

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ADAMS MARTIN J WEBSTER M PERKINS	OTP-AM	H-811 S-728 PEARSON

SUMMARY

This bill, as amended by the committee (H-811), establishes the Maine Coast Environmental Trust Fund and incorporates the administration of the fund into the duties of the Marine Research Board. To effect this change, the board is expanded to include an additional representative of an environmental organization and a public member. A reporting deadline for the Marine Research Board is delayed. In awarding grants under the marine research grants program, oversight of the board by the Maine Science and Technology Commission is added to avoid potential conflict-of-interest situations.

The purpose of the fund is to provide a vehicle for individuals or foundations to provide grant monies or for the courts to award judgments for marine research. A provision in the original bill for a percentage of environmental penalties to go into the trust is removed. Executive agencies are eligible for grants from the fund if they are undertaking a research proposal with another entity that is not an executive agency.

The Senate amendment (S-728) clarifies that General Fund appropriations will not be required to fund the grants program of the Maine Coast Environmental Trust Fund.