

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1992**

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.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were 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, especially Laurette Knox who coordinated preparation of the overall document.

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

The bill clarifies that a person causing a discharge is liable to the State for disbursements made from the Maine Coastal and Inland Surface Oil Clean-up Fund for spill-specific studies and for collection fees.

The committee amendment (H-971) ensures that vessels engaged in oil spill response are not subject to the licensing and license fee requirements of the Maine Coastal and Inland Surface Oil Clean-up Fund.

The amendment clarifies that personnel costs reimbursed to the Maine Coastal and Inland Surface Oil Clean-up Fund by a person who caused the discharge must be personnel costs for those people directly cleaning up the spill.

The amendment also requires the Legislature to review the continued need for the Oil Spill Advisory Committee in 3 years. The amendment also adds a fiscal note to the bill.

**LD 2165      An Act to Authorize Forest Rangers to Enforce the Rules and Laws Pertaining to the Bureau of Public Lands      PUBLIC 652**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LUDWIG ANDERSON GOULD R A JACQUES	OTP-AM	S-538

**SUMMARY**

This bill enables rangers to enforce the rules and laws governing the use of the State's public lands that are under the jurisdiction of the Bureau of Public Lands. This authorization will enable rangers to provide law enforcement assistance to the Bureau of Public Lands on those occasions when such assistance is needed, or when a forest ranger may be the only readily available law enforcement officer.

A committee amendment (S-538) adds a fiscal note to the bill.

**LD 2171      An Act Regarding Fees Collected by the Allagash Wilderness Waterway      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MARTIN J JACQUES HOGLUND TITCOMB	ONTP	

**SUMMARY**

This bill would have allowed for money collected from user fees for the Allagash Wilderness Waterway to be set aside in a dedicated account, the Allagash Wilderness Waterway Fund, to be used only to fund activities along the waterway.

**LD 2184      An Act to Facilitate Municipal Landfill Closure      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
VOSE TOWNSEND	ONTP	

**SUMMARY**

This bill would have prohibited the Maine Land Use Regulation Commission from restricting access to licensed landfills within its jurisdiction. The bill included provisions that would have explicitly provided for a license extension for the Down East Landfill until March 12, 1993, the date of submission of a site closure plan under the administrative order of consent regarding the same facility adopted by the Board of Environmental Protection on January 8, 1992.

**LD 2198 An Act to Discourage Illegal Dumping of Waste**

PUBLIC 867

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CLARK M	OTP-AM MAJ	H-962 MAJ REP
TITCOMB	ONTP MIN	S-766 BRANNIGAN
HOGLUND		
MARSH		

**SUMMARY**

This bill allows the state to prosecute the owner of a registered vehicle involved in the illegal discharge of sewage, garbage or other pollutants into inland or coastal waters if the driver of the vehicle can not be identified. This bill is modeled on legislation enacted in the First Regular Session of the 115th Legislature that establishes a registered vehicle owner's liability for that vehicle illegally passing a school bus.

Committee amendment "A" (H-962) clarifies that the owner is subject to the general penalty provisions of Title 38.

Senate amendment "A" (S-766) clarifies that the bill does not impose a mandate on municipal or county governments.

**LD 2201 An Act to Strengthen Compliance with Land Use Laws in the Unorganized Territories**

PUBLIC 688

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MARSH	OTP-AM	H-954
HOLLOWAY		
JACQUES		

**SUMMARY**

This bill provides for the certification of employees of the Maine Land Use Regulation Commission to utilize Court Rule 80K proceedings in the District Court involving alleged land use violations. Under current law, if voluntary settlement discussions fail, the only recourse currently available to the commission is to have the Attorney General's office file a law suit in the Superior Court. This bill allows certified employees of the commission to process minor violations in District Court without requiring the appearance of an attorney, similar to small claims proceedings.

A committee amendment (H-954) adds a fiscal note to the bill.