

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE, CONSERVATION AND FORESTRY**

JULY 1997

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Sen. R. Leo Kieffer

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 1175

An Act to Remove the Large Lot Exemption from the Definition of "Subdivision" within the Laws Administered by the Maine Land Use Regulation Commission

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ	
GOOLEY	ONTP MIN	

LD 1175 proposed removing the large lot exemption from the definition of "subdivision" within the laws administered by the Maine Land Use Regulation Commission. This change would have required a person proposing to create three to 10 lots, each of 40 acres or more in size, to apply for a permit from the Maine Land Use Regulation Commission. Under the large lot exemption, such a division is not reviewed as a subdivision unless the lots or portions of the lots are within specified distances of a great pond, river or wetland.

Committee Amendment "A" (S-245) was the majority report of the committee. It proposed placing in statute certain exemptions to the definition of subdivision that are currently in rules and standards of the Maine Land Use Regulation Commission. The committee amendment proposed requiring the director of LURC to report to the Joint Standing Committee on Agriculture, Conservation and Forestry on the transfer of parcels 1,000 acres or more for forestry, agriculture or conservation. The amendment proposed giving the Joint Standing Committee on Agriculture, Conservation and Forestry authority to report out a bill regarding this provision based on its review of land transfers. The majority report was adopted in the Senate but not in the House.

LD 1198

An Act to Protect Maine's Wild Lands

DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIAH	ONTP MAJ	
PINGREE	OTP MIN	

LD 1198 proposed prohibiting new residential and commercial development in five core areas within the jurisdiction of the Maine Land Use Regulation Commission. The bill would have required LURC to adopt rules to designate the specific boundaries of the areas and prepare maps indicating the boundaries. The bill would have authorized LURC to adopt rules to permit certain structures in these five areas. The bill proposed allowing permits for structures associated with primitive recreation, sporting camps, or existing residential structures and temporary structures used in conjunction with forest management activities.

LD 1200

An Act to Reform the Maine Tree Growth Tax Law

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLENIK		

LD 1200 proposes specific criteria for forest management plans prepared for land qualifying for tree growth classification under the Maine Tree Growth Tax Law. This bill also proposes requiring the Maine Forest Service to conduct periodic, random audits to determine compliance with the plans, and to report the results to the State Tax

Assessor. Noncompliance would result in withdrawal of the land from tree growth classification and associated penalties.

LD 1232 An Act to Provide Relief from Barking Dogs CARRIED OVER

<u>Sponsor(s)</u> SMALL		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1232 proposes requiring municipalities to adopt ordinances to address the problem presented by barking dogs.

Committee Amendment "A" (S-138) proposed replacing the original bill. It would have made keeping a dog that repeatedly disturbs people a civil violation subject to a fine.

Committee Amendment "A" was adopted in the Senate. The bill was subsequently recommitted to the Joint Standing Committee on Agriculture, Conservation and Forestry and carried over until the 2nd Regular Session of the 118th Legislature.

LD 1235 Resolve, to Convene a Study Group to Identify Access to Public Landings and Their Facilities by Persons Engaged in Commercial Fishing ONTP

<u>Sponsor(s)</u> LAWRENCE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1235 proposed a resolve to direct the Department of Conservation to convene a study group to identify ways of preserving and enhancing access to public boat landings and associated facilities by persons engaged in commercial fishing. The resolve proposed that the study group consist of persons who fish commercially, a representative of the Maine Aquaculture Association, a representative of municipal government and a representative of the Department of Marine Resources.

LD 1277 An Act Concerning the Harvesting and Sampling of Ginseng ONTP

<u>Sponsor(s)</u> BAKER J PARADIS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1277 proposed prohibiting the harvesting or transplanting of wild ginseng. It proposed authorizing the Department of Agriculture, Food and Rural Resources to issue permits for seed collection and tissue sampling from wild ginseng plants.