

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
AGRICULTURE, CONSERVATION AND FORESTRY

MAY 1998

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*Sen. R. Leo Kieffer*

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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](http://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:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

**LD 1395****Resolve, to Establish the Maine Council on Sustainable Silviculture**

ONTP

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

LD 1395 proposed a resolve to establish the Maine Council on Sustainable Silviculture. The resolve would charge the council with developing benchmarks and advising the Governor and Legislature concerning measurable benchmarks for sustainable silvicultural practices. The council would be directed to submit a draft report to the Legislature by October 15, 1998 and a final report by October 1, 1999. The Council would terminate on October 1, 1999.

**Committee Amendment "A" (H-100)** was the minority report. It would have changed dates for appointments and reports. It also would have added a fiscal note to the resolve.

**LD 1405****An Act to Strengthen Laws Regarding Timber Theft and Timber Harvesting****PUBLIC 648**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESMOND	OTP-AM	H-1076 BUNKER H-951 S-571 KIEFFER

LD 1405 proposed requiring timber harvesters to obtain a license from the Department of Conservation, Bureau of Forestry. It proposed provisions for the revocation of a license and making a person ineligible for a license for a period of 3 years if that person unlawfully cuts trees on another person's land.

**Committee Amendment "A" (H-951)** proposed amending provisions in current law regarding harvesting notification forms and requiring that a trip ticket containing certain specified information accompany all wood hauled for sale. It proposed a study of workers' compensation laws relating to wood harvesting and the development of statewide standards to minimize the impact of wood harvesting on nonpoint source pollution.

**House Amendment "A" to Committee Amendment "A" (H-1076)** authorizes the joint standing committee of the Legislature having jurisdiction over labor matters to report out legislation regarding workers' compensation coverage in the wood harvesting industry to any session of the 119th Legislature.

**Senate Amendment "A" to Committee Amendment "A" (S-571)** amends the definition of "hauler" to include a person, company or other entity that owns a trailer on which wood is transported. It also requires any person transporting wood, not just wood for sale, to comply with the provision of the amendment.

***Enacted law summary***

Public Law 1997, chapter 648 amends provisions in current law regarding harvesting notification forms and requires that a trip ticket containing certain specified information accompany wood being transported. Firewood sales to retail consumers are exempt from the trip ticket requirement. This law requires the Workers' Compensation Board and the Maine Forest Service to study workers' compensation laws relating to wood harvesting and to report