

# 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**

***MEMBERS:***

*Sen. Marge L. Kilkelly, Chair*

*Sen. Judy Paradis*

*Sen. R. Leo Kieffer*

*Rep. George H. Bunker, Chair*

*Rep. Roland B. Samson*

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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](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:

<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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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

interests to determine other appropriate actions. It proposed directing the State Board of Pesticides Control to study ways to improve the usefulness of report information and to publish an annual report on pesticides sales and sector of use wherever possible.

**Committee Amendment "B" (S-273)** was the minority report of the committee. It proposed to replace the original resolve and direct the State and agencies of the State to determine actions to reduce reliance on pesticides. It proposed requiring the State Board of Pesticides Control to strengthen reporting procedures for data collection on pesticide sales and use; directing the board to implement rules necessary for efficient data collection; requiring the board to publish an annual report on pesticides sales and use. The amendment also proposed stating that the policy of the State is to use fewer or less toxic pesticides. The minority report was not adopted.

***Enacted law summary***

Public Law 1997, chapter 389 directs the agencies of the State to promote integrated pest management and to work with private interests to determine other appropriate actions. It directs the State Board of Pesticides Control to study ways to improve the usefulness of report information and to publish an annual report on pesticides sales and sector of use wherever possible.

**LD 1746**                      **An Act to Amend the Laws Relating to Development and Centralized Listing of Municipal Ordinances That Apply to Forest Practices**                      **CARRIED OVER**

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

LD 1746 proposes amending the laws relating to development of municipal timber harvesting ordinances by requiring the ordinances to be consistent with the definitions for forestry terms established in the Maine Revised Statutes, Title 12, section 8868 as well as those in rules adopted by the Department of Conservation. It proposes clarifying that a municipality may not adopt an ordinance with standards less stringent than the standards established in state law and rules adopted in accordance with state law. It proposes changes to the notice and hearing procedures for adopting municipal timber harvesting ordinances and specifying a 30-day period within which the validity of the adoption of a timber harvesting ordinance may be challenged based on an alleged failure to comply with certain notice requirements.

**LD 1766**                      **An Act to Improve Management of Maine's Forests**                      **CARRIED OVER**

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

LD 1766 proposes to establish a new forest policy for the State. It proposes to establish a permit-by-rule procedure for clear-cutting, to increase the minimum basal area required for a timber harvest not to qualify as a clear-cut, to require that clear-cutting have a silvicultural justification and to set limitations on the size and arrangement of clear-cuts, with some exemptions provided for smaller holdings. The bill also proposes establishing the Sustainable Forest Management Audit Program within the Department of Conservation for ownerships greater than 100,000

acres in size to ensure the maintenance and enhancement of timber sustainability, the economic viability of forest management and the State's forest biodiversity. It proposes changes to the Bureau of Forestry's natural resource education program and directs the bureau's natural resource educator to develop partnerships and funding sources for creating new natural resource education initiatives for the public.

The bill proposes authorization of an ecological forest reserve on public lands, totaling between 8,000 and 10,000 acres. It also would direct the Maine Forest Service to undertake a study of liquidation harvesting and make recommendations to further restrict the practice.

**LD 1809                      Resolve, Authorizing the Exchange and Sale of Certain Public Lands                      RESOLVE 52**

<u>Sponsor(s)</u> PARADIS BELANGER D	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-295
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LD 1809 proposed authorizing the sale of certain parcels of public land under control of the Bureau of Parks and Lands.

**Committee Amendment "A" (S-295)** proposed a technical amendment, adding a cross-reference to the preamble of the resolve.

*Enacted law summary*

Resolve 1997, chapter 52 authorizes sale of the State's common and undivided 3/4 interest in approximately 54 acres located in the Town of Fort Kent. The State has entered into a purchase and sale contract with an abutting landowner to sell the State's common and undivided interest for \$12,800, which exceeds fair market value. It authorizes the sale of approximately 0.63 acres and associated buildings in the Town of Ashland and the sale of approximately 40 acres of undeveloped land in the Town of Solon. This resolve also authorizes the sale of one lot approximately 1/4 acre in size in Little Squaw Township. This conveyance resolves a long-standing boundary line matter involving the abutting landowner. Revenues generated by these sales will be used to purchase land containing more significant natural resources and public use values elsewhere in Aroostook County, Somerset County and Piscataquis County.

**LD 1852                      An Act to Reorganize and Clarify the Laws Relating to the Establishment, Powers and Duties of the Bureau of Parks and Lands                      CARRIED OVER**

<u>Sponsor(s)</u> KILKELLY BUNKER	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1852 proposes clarifying the establishment, powers and duties of the new Bureau of Parks and Lands without altering the essential missions, powers and purposes of the 2 former bureaus. The bill does not propose any new rule-making authority to the bureau. This bill proposes repealing certain provisions of law and consolidating