

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

August 2005

Members:

*Sen. John M. Nutting, Chair
Sen. Bruce S. Bryant
Sen. Kevin L. Raye*

*Rep. John F. Piotti, Chair
Rep. Jacqueline A. Lundeen
Rep. Raymond G. Pineau
Rep. Joanne T. Twomey
Rep. Rodney C. Jennings
Rep. Roderick W. Carr
Rep. Arlan R. Jodrey
Rep. Roger L. Sherman
Rep. Patrick S. A. Flood
Rep. Donald G. Marean*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. 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 considered by the 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 176 makes several changes to the laws governing the Maine Potato Board. It amends the definition of "potato" to include potatoes sold for processing into starch, and potatoes sold for processing into animal feed. It changes the minimum number of executive council meetings from 4 to 2 times a year. It authorizes the Maine Potato Board to undertake development and investment in infrastructure. It prohibits using revenue from the potato tax to undertake promotional activities of the Maine Potato Board and eliminates the requirement that the State Auditor conduct an annual audit of the Maine Potato Board. It specifies that the board must pay to the State Tax Assessor a sum representing the actual cost incurred by the State in collecting the taxes, except that the sum may not exceed 5% of the total tax collected annually. Public Law 2005, chapter 176 was enacted as an emergency measure effective May 20, 2005.

LD 538 **An Act Requiring Dog Owners To Obtain Dog License Vouchers
at the Time of Obtaining Rabies and Other Immunizations** **ONTP**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 538 proposed requiring a dog owner to pay the dog license fee to a veterinarian who immunizes the dog against rabies. It proposed a system by which the veterinarian would issue the owner a voucher to be presented to the municipal clerk or unorganized territory dog recorder to obtain a dog license.

LD 574 **An Act To Amend Provisions of the Submerged Lands Laws** **PUBLIC 134**

<u>Sponsor(s)</u> COWGER BRAUTIGAM		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-96
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LD 574 proposed excluding large-scale projects from the \$1,200 cap on annual rents under the submerged lands leasing program. It also proposed amending the definition of "submerged lands" to clarify that the State's submerged lands extend 3 nautical miles seaward to the boundary of "territorial waters."

Committee Amendment "A" (S-96) proposed amending the definition of "large-scale project" in the bill. It proposed requiring the Director of the Bureau of Parks and Lands within the Department of Conservation to adopt rules relating to "large-scale project."

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Public Law 2005, chapter 134 defines a “large-scale project” under the submerged lands leasing program and excludes such projects from the \$1,200 cap on annual rents. It requires the Director of the Bureau of Parks and Lands within the Department of Conservation to adopt rules establishing criteria for determining when a project is a "large-scale project" and criteria for establishing rent for those projects. It allows the director to make determinations until the rules are adopted and in effect. It amends the statutory definition of "submerged lands" and provides that the State's submerged lands extend 3 nautical miles seaward to the boundary of "territorial waters."

LD 640 An Act To Recognize the Importance of Forestry CARRIED OVER

<u>Sponsor(s)</u> SAVIELLO NUTTING J		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 640 proposes statutory language stating that forest industry is of significant economic and social importance to the State. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 649 An Act To Provide Access to Maine's Resources to Certain Veterans PUBLIC 268 EMERGENCY

<u>Sponsor(s)</u> BRYANT B BRYANT M		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> S-197
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LD 649 proposed recognizing Maine veterans of the Iraq War who have served a minimum of 90 days by giving them a free one-year pass to state parks and free hunting and fishing licenses.

Committee Amendment "A" (S-197) proposed replacing the bill with directives to the Department of Defense, Veterans and Emergency Management and authorization for the issuance of free day use passes and free hunting licenses and fishing licenses to certain veterans.

Enacted law summary

Public Law 2005, chapter 268 directs the Department of Defense, Veterans and Emergency Management to enter into a memorandum of agreement with the Department of Conservation for the issuance of free day use passes to certain veterans and to enter into a memorandum of agreement with the Department of Inland Fisheries and Wildlife for the issuance of free hunting licenses and fishing licenses to certain veterans. It establishes criteria for eligibility to receive the free pass and licenses. The provisions for the complimentary pass and licenses are repealed June 30, 2010. Public Law 2005, chapter 268 was enacted as an emergency measure with an effective date of June 2, 2005.