

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

July 2006

Members:

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

*Rep. John F. Piotti, Chair
Rep. Jacqueline A. Lundeen
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
Rep. Peter Edgecomb*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 arranged alphabetically by committee name 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/billsumm.htm).

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
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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 640

An Act To Recognize the Importance of Forestry

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO NUTTING J	ONTP	

LD 640 proposed enacting language to recognize that forest industry is of significant economic and social importance to the State.

LD 934

Resolve, To Direct the Department of Conservation, Bureau of Parks and Lands To Lease Certain Public Reserved Lands to the Town of Allagash

RESOLVE 173

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON BRYANT B	OTP-AM MAJ ONTP MIN	H-750 H-907 PIOTTI

LD 934 proposed authorizing the transfer of public lands to the Town of Allagash.

Committee Amendment "B" (H-750) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed authorizing the transfer of one public lot to the Town of Allagash.

House Amendment "A" to Committee Amendment "B" (H-907) proposed replacing the resolve, as amended by Committee Amendment "B," with a requirement that the Director of Parks and Lands lease the timber rights on 4 public reserved lots to the Town of Allagash.

Enacted law summary

Resolve 2005, chapter 173 requires the Director of Parks and Lands, with the approval of the Town of Allagash, to lease the timber rights on 4 public reserved lots in Allagash to the Town.

LD 1064

An Act To Clarify the Laws Governing Agricultural Composting Operations

PUBLIC 638

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK CARR	OTP-AM	

LD 1064 proposed enacting a definition of "agricultural composting" and clarifying that agricultural composting operations qualify for certain sales tax exemptions. It proposed specifically including work in connection with "agricultural composting" in the definition of "agricultural labor" as that term is used in Maine's unemployment compensation statutes.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "B" (S-563) proposed replacing the definition of "agricultural composting" found in the bill with definitions of "agricultural composting operation" and "composting." It proposed removing the provision that proposed excluding workers in the employ of an agricultural composting operation from the definition of employment in Maine's unemployment compensation statute. It proposed removing the retroactivity provision in the bill.

Enacted law summary

Public Law 2005, chapter 638 enacts definitions of "agricultural composting operation" and "composting" in the statutory provision that declares certain farm operations not to be a nuisance under Title 17, Chapter 91. It includes agricultural composting operations in the definition of "commercial agricultural production" under Title 36, section 2013, allowing these operations to qualify for certain sales tax exemptions.

LD 1406 **An Act To Preserve Public Access and Job Opportunities in the North Woods** **ONTP**

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

LD 1406 proposed creating the Maine Woods Act and establishing the Maine Woods Board as a public instrumentality of the State. The board's central duty would be to support sustainable forestry and provide public access and recreational opportunities through the acquisition and maintenance of forest lands. The board would have independent bonding authority to fund acquisitions, as proposed in this bill.

Committee Amendment "A" (S-440) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed changing the bill to a resolve directing the Commissioner of Conservation to develop recommendations for increasing access to capital for the purchase of forest land for the production of forest products and with continuing public access for recreation. The minority report was not adopted.

LD 1657 **An Act To Minimize the Risk to Maine's Marine Waters and Organisms Posed by the Application of Pesticides** **PUBLIC 553
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY	OTP-AM	H-885
DAMON		

LD 1657 proposed limits on the application of pesticides near the normal high tide mark for the control of browntail moths.

Committee Amendment "A" (H-885) proposed buffers and restrictions on the application of pesticides to control browntail moths in coastal areas of Cumberland, Sagadahoc and York counties. It proposed requiring the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to monitor certain pesticide applications, complete its assessment of risks and benefits of pesticide applications near coastal waters, and report