

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

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

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

## Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2007, chapter 67 requires the Director of the Bureau of Parks and Lands within the Department of Conservation to develop options for consistent management of recreation on the Saco River from the New Hampshire border to Hiram Dam. The Director of the Bureau of Parks and Lands is required to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 15, 2007 on these options and to recommend funding sources for management of the river.

### LD 1070 An Act To Create the Maine Agriculture in the Classroom Council

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH SHERMAN	ONTP	

LD 1070 establishes the Maine Agriculture in the Classroom Council. The council is not an agency of the State but has certain powers and duties conferred on it for the public purpose of promoting an understanding of agriculture. The provisions proposed in this bill were incorporated in the Committee Amendment to LD 986 An Act To Establish an Agriculture Education Registration Plate. See bill summaries for the Joint Standing Committee on Transportation.

### LD 1073 Resolve, To Study the Promotion, Expansion and Regulation of the Harness Racing Industry

RESOLVE 128  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN SAVAGE C	OTP-AM	H-317

LD 1073 establishes the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry. The commission is to study the best way to expand racing opportunities for Maine horsemen and Maine-owned horses, including an orderly expansion of race dates and venues and how to better fund the State Harness Racing Commission in a way that serves the horse racing industry and the public. The commission will review rules and regulations and issues such as drug testing to ensure the integrity of the sport. In addition, the commission is directed to explore ways to promote public interest and participation in harness racing.

#### Committee Amendment "A" (H-317)

This amendment adds 2 additional members of the House of Representatives to the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry. It removes the chair of the State Harness Racing Commission as a member and adds a member representing commercial tracks. It makes other changes to conform to Joint Rule 353 regarding legislative study commissions.

#### Enacted Law Summary

Resolve 2007, chapter 128 establishes the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry to study ways to expand racing opportunities for Maine horsemen and Maine-owned horses, and funding sources for the State Harness Racing Commission. The commission is directed to review regulations and examine issues such as drug testing to ensure the integrity of the sport. The commission is required to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 5, 2007. The report must include the commission's findings and recommendations and any suggested legislation to implement the recommendations. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to introduce legislation relating to the Harness Racing Industry to the 2nd Regular Session of the 123rd Legislature.

# Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2007, chapter 128 was enacted as an emergency measure effective June 27, 2007.

## LD 1074 An Act To Amend the Maine Commercial Fertilizer Law

PUBLIC 147

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN SHERMAN	OTP-AM	H-166

LD 1074 amends the Maine Commercial Fertilizer Law to conform to national standards, increases the civil penalties for civil violations and creates a system of restitution for payments to growers who do not receive the correct fertilizer formulation.

### Committee Amendment "A" (H-166)

This amendment makes technical changes to the bill to clarify the process for making assessments to consumers when analysis of fertilizers indicate there is a deficiency in one or more nutrients. It also provides for assessments received by the commissioner to be deposited in a dedicated account and used to pay costs for sampling and analyzing fertilizers.

### Enacted Law Summary

Public Law 2007, chapter 147 amends the Maine Commercial Fertilizer Law to conform to national standards, increases the civil penalties for civil violations and creates a system of restitution for payments to growers who do not receive the correct fertilizer formulation. Assessments for deficiencies in fertilizers are deposited in a dedicated account and used to pay costs for sampling and analyzing fertilizers.

## LD 1075 Resolve, To Assist Maine Local Land Trusts

RESOLVE 108

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-452

LD 1075 establishes the Maine Local Land Trust Fund to be administered by the Land for Maine's Future Board. Five percent of abandoned beverage container deposits are the source of funding for this grant program. Local land trusts may receive up to 60% in matching funds for eligible land acquisition projects.

### Committee Amendment "A" (H-452)

This amendment replaces the bill with a resolve directing the State Planning Office, in consultation with the Department of Conservation and the Department of Inland Fisheries and Wildlife, to compile and make available to local land trusts information on funding sources. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation to the Second Regular Session of the 123rd Legislature.

### Enacted Law Summary

Resolve 2007, chapter 108 directs the State Planning Office, in consultation with the Department of Conservation and the Department of Inland Fisheries and Wildlife, to compile and make available to local land trusts information on funding sources. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation to the Second Regular Session of the 123rd Legislature.