

MAINE STATE LEGISLATURE

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RWS

L.D. 648

DATE: 5.10.05

(Filing No. S-151)

NATURAL RESOURCES

Reported by:

MAJORITY

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 203, L.D. 648, Bill, "An Act To Exempt Maine Agricultural Fairs from the Requirements of the Site Location of Development Laws"

Amend the bill in section 1 by striking out all of subsection 23 and inserting in its place the following:

'23. Agricultural fair property. Development on property that is used for one or more agricultural fairs licensed by the Commissioner of Agriculture, Food and Rural Resources under Title 7, chapter 3 is exempt from review under this article if:

A. The property is not used for motorized vehicle racing for more than 14 days beyond those days authorized for the operation of the agricultural fair;

B. Motorized vehicle racing on the property is licensed by the Department of Public Safety;

C. Use of the property beyond those days authorized for the operation of the agricultural fair meets a noise standard pursuant to section 484, subsection 3. The department shall enforce the noise standard under this paragraph; and

D. The property has been identified as the location of an agricultural fair in an agricultural fair license issued by the Department of Agriculture, Food and Rural Resources prior to September 15, 2006.'

COMMITTEE AMENDMENT

A. of S.

COMMITTEE AMENDMENT "A" to S.P. 203, L.D. 648

Further amend the bill by inserting after section 1 the following:

'Sec. 2. Environmental evaluation checklist. The Department of Agriculture, Food and Rural Resources, in consultation with the Department of Environmental Protection, shall develop a checklist of environmental issues that may have an impact on agricultural fair property and distribute the checklist to each person, agricultural society, association or corporation that submits an application to hold, conduct or operate an agricultural fair licensed under the Maine Revised Statutes, Title 7, chapter 3. The person, agricultural society, association or corporation shall, with the assistance of a soil and water conservation district, complete the checklist and submit it to the Department of Agriculture, Food and Rural Resources. The Department of Agriculture, Food and Rural Resources may not issue a license for an agricultural fair prior to receipt of the environmental checklist.'

SUMMARY

This amendment is the majority report. The amendment exempts development on agricultural fair property from the site location of development laws if the property is not used for motorized racing for more than 14 days beyond the fair days, motorized racing is licensed by the State, use of the property beyond the fair days meets the noise standard of the site location of development law and the property has been identified in an agricultural fair license issued by the Department of Agriculture, Food and Rural Resources prior to September 15, 2006. The amendment also directs the Department of Agriculture, Food and Rural Resources, in consultation with the Department of Environmental Protection, to develop a checklist of environmental issues and to distribute the checklist to applicants for an agricultural fair license. Under the amendment, the applicant is required to complete the checklist with the assistance of a soil and water conservation district. The amendment provides that the Department of Agriculture, Food and Rural Resources may not issue a license for an agricultural fair prior to receipt of the environmental checklist.

FISCAL NOTE REQUIRED (See attached)



Approved: 05/05/05 *MAC*

122nd MAINE LEGISLATURE

LD 648

LR 0442(02)

**An Act To Exempt Maine Agricultural Fairs from the Requirements of the Site Location of
Development Laws**

Fiscal Note for Bill as Amended by Committee Amendment *A*

Committee: Natural Resources

Fiscal Note Required: Yes

Majority Report

Fiscal Note

Minor cost increase - General Fund