

# MAINE STATE LEGISLATURE

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37  
Maine

L.D. 648

DATE: 5.10.05

(Filing No. S-152)

NATURAL RESOURCES

Reported by: **MINORITY**

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STATE OF MAINE  
SENATE  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT **B** 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; and

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.'

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

**COMMITTEE AMENDMENT**

LR042

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

**SUMMARY**

20       This amendment is the minority report. The amendment  
 22       exempts development on agricultural fair property from the site  
 24       location of development laws if the property is not used for  
 26       motorized racing for more than 14 days beyond the fair days,  
 28       motorized racing is licensed by the State and use of the property  
 30       beyond the fair days meets the noise standard of the site  
 32       location of development law. The amendment also directs the  
 34       Department of Agriculture, Food and Rural Resources, in  
 36       consultation with the Department of Environmental Protection, to  
 38       develop a checklist of environmental issues and to distribute the  
 40       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)



# 122nd MAINE LEGISLATURE

LD 648

LR 0442(03)

**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 **B****

**Committee: Natural Resources**

**Fiscal Note Required: Yes**

**Minority Report**

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## Fiscal Note

Minor cost increase - General Fund