

MAINE STATE LEGISLATURE

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M
9.015

L.D. 961

DATE: 5/9/05

(Filing No. H-284)

AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 671, L.D. 961, Bill, "An Act To Establish the Agricultural Water Management Fund"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish the Agricultural Water Management and Irrigation Fund'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, adequate water resources are critical to agriculture in the State; and

Whereas, the establishment of a fund and ability to administer that fund must be in place as soon as possible to provide optimal benefits for the 2005 growing season; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

COMMITTEE AMENDMENT

R. 018

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 7 MRSA Pt. 1-B, as amended, is further amended by
6 repealing the Part headnote and enacting the following in its
place:

8 PART 1-B

10 WATER AND SOIL MANAGEMENT

12 Sec. 2. 7 MRSA c. 13 is enacted to read:

14 CHAPTER 13

16 AGRICULTURAL WATER MANAGEMENT AND IRRIGATION

18 §351. Agricultural Water Management and Irrigation Fund

20 1. Fund; established. The Agricultural Water Management
22 and Irrigation Fund, referred to in this chapter as "the fund,"
is established as a nonlapsing fund in the Department of
24 Agriculture, Food and Rural Resources. The commissioner may
accept money for the fund from any public or private source and
26 make expenditures from the fund for the purpose of improving the
use of irrigation in agriculture and the use of water resources
in animal agriculture.

28 2. Administration. The commissioner shall administer the
30 fund.

32 3. Rulemaking. The commissioner shall adopt rules to carry
34 out the purposes of this section. Rules adopted pursuant to this
subsection are routine technical rules as defined in Title 5,
chapter 375, subchapter 2-A.

36 4. Report. The commissioner shall submit an annual report
38 on March 1st to the joint standing committee of the Legislature
having jurisdiction over agricultural matters. The report must
40 include a summary of money available in the fund, the use of the
fund and the status of agricultural irrigation in the State.

42 Sec. 3. Appropriations and allocations. The following
44 appropriations and allocations are made.

46 AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

48 Division of Marketing and Production Development 0833

Notes

COMMITTEE AMENDMENT "A" to H.P. 671, L.D. 961

2 Initiative: Provides an initial allocation for the newly established Agricultural Water Management and Irrigation Fund.

4	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
6	All Other	\$500	\$500
8	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

10 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.'

12
14 **SUMMARY**

16 The amendment changes the title and replaces the bill. It amendment adds an emergency preamble and emergency clause to the bill. It also changes the name of the fund to the Agricultural Water Management and Irrigation Fund and clarifies that the fund may be used for irrigation and providing water for livestock operations. It changes the placement of the provision within the Maine Revised Statutes, Title 7.

24 **FISCAL NOTE REQUIRED**
26 (See attached)



122nd MAINE LEGISLATURE

LD 961

LR 0544(02)

An Act To Establish the Agricultural Water Management Fund

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Appropriations/Allocations				
Other Special Revenue Funds	\$500	\$500	\$0	\$0

Fiscal Detail and Notes

The establishment of the Agricultural Water Management and Irrigation Fund within the Department of Agriculture, Food and Rural Resources will require an initial Other Special Revenue Funds allocation of \$500 beginning in fiscal year 2005-06. In addition, the establishment of the fund is likely to result in additional Other Special Revenue Funds revenue collected by the department; the amounts can not be determined at this time.