

# MAINE STATE LEGISLATURE

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Date: 4/2/12

Report A

L.D. 1830

(Filing No. H-876)

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**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 1350, L.D. 1830, Bill, "An Act To Establish the Department of Agriculture, Conservation and Forestry"

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Amend the bill in Part B in section 3 in the 3rd and 4th lines (page 6, lines 9 and 10 in L.D.) by striking out the following: "during the 2012 legislative interim, but no later than June 15, 2012, to hear a report" and inserting the following: 'up to 6 times during the 2012 legislative interim to hear and discuss reports'

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Amend the bill in Part B in section 4 in the 5th line (page 6, line 20 in L.D.) by inserting after the following: "department" the following: ', working with the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters,'

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Amend the bill in Part C by inserting after section 2 the following:

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'Sec. C-3. 5 MRSA §6204, sub-§1, as amended by PL 1993, c. 728, §6, is further amended to read:

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**1. Composition.** The board consists of ~~11~~ 10 members, 6 who are private citizens and ~~5~~ 4 who are permanent members. The permanent members are ~~the Commissioner of Conservation;~~ the Commissioner of Inland Fisheries and Wildlife; the Commissioner of Marine Resources; the Commissioner of Agriculture, ~~Food and Rural Resources Conservation and Forestry;~~ and the Director of the State Planning Office.

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**Sec. C-4. 5 MRSA §6204, sub-§6,** as amended by PL 1993, c. 728, §6, is further amended to read:

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**6. Assistance.** The ~~Department of Conservation;~~ the Department of Inland Fisheries and Wildlife; the Department of Transportation; the Department of Agriculture, ~~Food and Rural Resources Conservation and Forestry;~~ the State Planning Office; and all other state agencies shall provide staff support and assistance considered necessary by the board to fulfill the objectives of this chapter. If agency assistance is not available, consultants may be hired from the proceeds of either the Land for Maine's Future Fund or the Public Access to Maine Waters Fund to assist the board in carrying out its responsibilities.'

**COMMITTEE AMENDMENT**

1 Amend the bill in Part C by inserting after section 5 the following:

2 'Sec. C-6. 38 MRSA §1871, sub-§1, as enacted by PL 2001, c. 434, Pt. B, §2 and  
3 amended by PL 2003, c. 689, Pt. B, §7, is further amended to read:

4 1. **Membership.** The task force consists of ~~17~~ 16 members as follows:

5 A. The following ~~5~~ 4 ex officio voting members:

6 (1) The commissioner or the commissioner's designee, who serves as the chair of  
7 the task force;

8 (2) The Commissioner of Inland Fisheries and Wildlife or the commissioner's  
9 designee;

10 (3) The Commissioner of Health and Human Services or the commissioner's  
11 designee; and

12 (4) The Commissioner of Agriculture, ~~Food and Rural Resources~~ Conservation  
13 and Forestry or the commissioner's designee; and

14 ~~(5) The Commissioner of Conservation or the commissioner's designee; and~~

15 B. Twelve members representing the public appointed by the Governor:

16 (1) One representative of the State's lake associations;

17 (2) One representative of a statewide recreational watercraft owners association;

18 (3) One representative of a statewide organization of marina owners;

19 (4) One representative of a lakes education program;

20 (5) One representative of public drinking water utilities;

21 (6) One representative of commercial tree and garden nurseries;

22 (7) One representative of home gardeners;

23 (8) One representative of municipal government;

24 (9) One representative of a statewide sporting association;

25 (10) One representative of a statewide outdoor recreational group;

26 (11) One person with demonstrated expertise in lake ecology; and

27 (12) One public member who has demonstrated experience or interest in the area  
28 of threats to fish and wildlife posed by invasive aquatic plants and nuisance  
29 species.'

30 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
31 section number to read consecutively.

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**SUMMARY**

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It expands oversight by the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters during the transition. It also amends the membership of the Land for Maine's Future Board and the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species to reflect the consolidation of the Department of Agriculture, Food and Rural Resources and the Department of Conservation into one department with one commissioner.

**FISCAL NOTE REQUIRED**  
(See attached)



# 125th MAINE LEGISLATURE

LD 1830

LR 2736(02)

## An Act To Establish the Department of Agriculture, Conservation and Forestry

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-876)  
Committee: Agriculture, Conservation and Forestry  
Fiscal Note Required: Yes

### Fiscal Note

#### Legislative Cost/Study

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Net Cost (Savings)</b>				
General Fund	\$0	(\$139,980)	(\$144,291)	(\$148,736)
<b>Appropriations/Allocations</b>				
General Fund	\$0	(\$139,980)	(\$144,291)	(\$148,736)

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$9,750 in fiscal year 2012-13 based on 6 authorized interim meetings for the Joint Standing Committee on Agriculture, Conservation and Forestry. The Legislature's proposed budget includes \$10,000 in fiscal year 2012-13 for legislative studies. Whether this amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

#### Fiscal Detail and Notes

This legislation establishes the Department of Agriculture, Conservation and Forestry. It includes a General Fund deappropriation to the Department of Conservation of \$139,980 in fiscal year 2012-13 for the elimination of one Commissioner of Conservation position.