

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

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

JUNE 1996

MEMBERS:

Sen. Vinton E. Cassidy, Chair

Sen. Willis A. Lord

Sen. Judy A. Paradis

Rep. Robert W. Spear, Chair

Rep. Marge L. Kilkelly

Rep. Douglas J. Ahearne

Rep. Clyde A. Hichborn

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Rep. Richard Kneeland

Rep. Edward L. Dexter

Rep. Robert E. Pendleton, Jr.

Staff:

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1267 **An Act to Establish the Maine Outdoor Recreation Council** ONTP

Sponsor(s)
O'DEA

Committee Report
ONTP

Amendments Adopted

LD 1267 proposed to establish the Maine Outdoor Recreation Council. The council would have consisted of 14 members representing State Government, business interests and various public interests. The council would have coordinated the development and promotion of outdoor recreation and facilities in the State. Members of the council would have received no compensation. The council would have received assistance, within available resources, from the Department of Conservation, Bureau of Parks and Recreation.

LD 1404 **An Act to Amend the Law Regarding the Lease of Submerged Lands** PUBLIC 666

Sponsor(s)
KILKELLY
GOULD

Committee Report
OTP-AM

Amendments Adopted
H-728

LD 1404 proposed to repeal existing law related to the granting of leases and easements for submerged and intertidal lands held in trust by the State and establish a new procedure for allowing use and construction upon those lands. Entities, public and private, that use submerged lands for fishing, navigation, fowling or other traditional public trust uses would be granted exclusive use of the submerged lands without requirement of lease or easement as long as those uses continue. Structures that facilitate those traditional uses would be required to be registered and be subject to a \$100 registration fee. Structures that do not facilitate those uses would have to obtain a lease from the Bureau of Public Lands and pay a one-time administrative fee of \$100. This bill also proposed to establish a Submerged Lands Public Trust Review Board with authority to adopt rules governing submerged lands and to hear appeals of submerged lands leasing-related decisions made by the Director of the Bureau of Public Lands.

Committee Amendment "A" (H-728) proposed to require interest earned from submerged lands income be credited to the Submerged Lands Fund; reduce the annual lease rent paid for upland uses from 10% to 2% of the municipally assessed value per square foot of adjacent upland; authorize the renewal of a lease at any time, provided the terms of an existing lease were met at the time of renewal application (If a lease did not conform with all applicable laws, regulations and public trust principles in effect at the time of renewal, the lease would have been amended to reflect current law, rules and principles); raise the minimum annual rent for a submerged lands lease from \$75 to \$100; establish a maximum rent of \$1,200 for any lease; raise the registration fee for easements from \$25 every 5 years to \$50 every 5 years; extend, to December 31, 1996, the deadline for the Bureau of Parks and Lands to register all structures that were upon submerged and intertidal lands as of October 1, 1975; and establish the Submerged Lands Advisory Board to provide advice and information to the Director of the Bureau of Parks and Lands on the management of submerged lands.

Enacted law summary

Public Law 1995, chapter 666 amends the current submerged lands law in the following manner:

1. It requires interest earned from submerged lands income be credited to the Submerged Lands Fund;
2. It reduces the annual lease rent paid for upland uses from 10% to 2% of the municipally assessed value per square foot of adjacent upland;
3. It authorizes the renewal of a lease at any time, provided the terms of an existing lease are met at the time of renewal application. If a lease does not conform with all applicable laws, regulations and public trust principles in effect at the time of renewal, the lease must be amended to reflect current law, rules and principles;
4. It raises the minimum annual rent for a submerged lands lease from \$75 to \$100;
5. It establishes a maximum rent of \$1,200 for any lease;
6. It raises the registration fee for easements from \$25 every 5 years to \$50 every 5 years;
7. It extends, to December 31, 1996, the deadline for the Bureau of Parks and Lands to register all structures that were upon submerged and intertidal lands as of October 1, 1975; and
8. It establishes the Submerged Lands Advisory Board to provide advice and information to the Director of the Bureau of Parks and Lands on the management of submerged lands.

**LD 1469 **Resolve, Directing the Commissioner of Agriculture,
Food and Rural Resources to Research the Reinstatement of
a State-operated Meat Inspection Program****

RESOLVE 78

Sponsor(s)
KILKELLY
CASSIDY

Committee Report
OTP-AM

Amendments Adopted
H-749
S-593

LD 1469 proposed to reenact, with updated language, the Maine Meat Inspection Act repealed in 1980. It would have provided for state inspection and regulation of the slaughter, processing, labeling, sale and transportation of cattle, sheep, swine, goats or horses, mules or other equines in intrastate commerce.

Committee Amendment "A" (H-749) proposed to replace the bill and make it a resolve. It proposed to provide the Department of Agriculture, Food and Rural Resources a \$20,000 General Fund appropriation to research establishment of a state-operated meat inspection program and initiate a pilot project under an inspection process known as "hazard analysis critical control point." Contingent upon the Department of Agriculture, Food and Rural Resources receiving the appropriation, the Commissioner of Agriculture, Food and Rural Resources would have been required to report by March 15, 1997 on the department's progress.

Senate Amendment "A" to Committee Amendment "A" (S-593) proposed to replace Committee Amendment "A". It proposed to require the Commissioner of Agriculture, Food and