

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

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

**JULY 1997**

***MEMBERS:***

*Sen. Marge L. Kilkelly, Chair*

*Sen. Judy Paradis*

*Sen. R. Leo Kieffer*

*Rep. George H. Bunker, Chair*

*Rep. Roland B. Samson*

*Rep. David C. Shiah*

*Rep. Paul Volenik*

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*Rep. Linda Rogers McKee*

*Rep. Ruel P. Cross*

*Rep. Edward L. Dexter*

*Rep. Walter R. Gooley*

*Rep. Priscilla Lane*

***Staff:***

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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 Regular 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 &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

**LD 230**

**An Act to Require the Maine Land Use Regulation Commission to Consider Community Benefits when Approving Utility Line Permits**

**ONTP**

Sponsor(s)  
GAGNON  
CAREY

Committee Report  
ONTP

Amendments Adopted

LD 230 proposed amending the Maine Land Use Regulation Commission's criteria for approval of utility line permits. This bill would have required the commission, when approving utility line permits, to find that there was a demonstrated benefit to the community or area and that extension of utility service was consistent with the commission's plan for residential growth or other development for the area.

**LD 244**

**An Act to Regulate the Use of Gates on Access Roads to Remote Ponds**

**ONTP**

Sponsor(s)  
CLARK  
KILKELLY

Committee Report  
ONTP

Amendments Adopted

LD 244 proposed specifying that, when the Maine Land Use Regulation Commission required the erection or maintenance of a barrier across a road to limit access to a remote pond, the commission would be responsible for the gate or barrier. The barrier could not be erected at a distance greater than 1/2 mile from the remote pond. The bill also proposed a definition of a "remote pond."

**LD 253**

**An Act to Require a Search Warrant to Investigate Private Property for the Purpose of Forestry Examinations**

**CARRIED OVER**

Sponsor(s)  
SNOWE-MELLO  
BENNETT

Committee Report

Amendments Adopted

LD 253 proposes requiring that agents of the Department of Conservation, Bureau of Forestry obtain a search warrant prior to entering onto private land to investigate possible forest practices violations, unless the agent has the consent of the landowner.

**LD 265**

**An Act to Amend the Maine Apiary Laws**

**PUBLIC 480**

Sponsor(s)  
KILKELLY

Committee Report  
OTP-AM

Amendments Adopted  
S-78