

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:

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Sen. Judy Paradis

Sen. R. Leo Kieffer

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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).

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 & 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&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>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

LD 265 proposed dedicating certain licensing and registration fees collected by the Division of Plant Industry within the Department of Agriculture, Food and Rural Resources to partially cover the personal services cost of an existing seasonal Entomologist I position used for apiary inspection.

Committee Amendment "A" (S-78) proposed changing the maximum per colony fees allowed for licensing of persons owning honeybees and registration of colonies of bees and allowing the Department of Agriculture, Food and Rural Resources to issue licenses to beekeepers for periods of one, two or three years.

Enacted law summary

Public Law 1997, chapter 480 dedicates revenue from the licensing of beekeepers and registration of bee colonies to partially fund the cost of apiary inspection. It also changes the maximum per colony fees allowed for licensing of persons owning honeybees and registration of colonies of bees and allows the Department of Agriculture, Food and Rural Resources to issue licenses to beekeepers for periods of one, two or three years.

LD 289 **Resolve, to Establish the Committee to Study Maine Forest Practices** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER CASSIDY		

LD 289 proposes establishing the Committee to Study Maine's Forest Practices. This resolve directs the committee to review forest practices in Maine, to examine forest practices in other states, to analyze trends in sustainability and the structure of the forest and to develop a new forest policy for the State using, as a baseline, Public Law 1989, chapter 555, “ An Act to Implement Sound Forest Practices”.

LD 396 **An Act to Allow the Maine Forest Service to Retain Funds from the Sale of Real Estate** **PUBLIC 536**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY KNEELAND	OTP-AM	S-23 S-359 MICHAUD

LD 396 proposed authorizing the Director of the Bureau of Forestry to use the proceeds from the sale or lease of any bureau property, except for state forests and natural areas, to upgrade existing structures owned by the Division of Forest Fire Control, to consolidate operations of the division and to purchase land upon which to build structures. In addition, the bill proposes a requirement that all purchases of land or structures be approved by the Bureau of General Services, which has statewide oversight of state facilities. LD 396 also proposed technical changes and corrections to existing law.

Committee Amendment "A" (S-23) proposed a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-359) proposed striking and replacing the fiscal note proposed in the committee amendment and adding an allocation section.