

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

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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 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.

Enacted law summary

Public Law 1997, chapter 536 authorizes 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 through the improvement, repair, replacement, purchase or construction of structures and to purchase land upon which to build structures. It also requires that any land purchased and any structures purchased or constructed be held in the division's name. The exception is that the bureau may participate in joint efforts to consolidate a facility with other agencies provided that the Bureau of General Services has ownership of the property or structure. All purchases of land or structures must be approved by the Bureau of General Services, which has statewide oversight of state facilities.

This law also changes a reference to the committee to which the Director of the Bureau of Forestry must report before offering surplus property for sale. The reference is changed from the joint standing committee of the Legislature having jurisdiction over natural resources to the joint standing committee of the Legislature having jurisdiction over forest resources. It eliminates obsolete references to the sale of property at the state nursery and to the transfer of the low-level radioactive waste site on the state nursery property. These actions have already taken place.

LD 420 An Act to Improve the Reporting of General Use Pesticide Sales PUBLIC 139

<u>Sponsor(s)</u> KILKELLY BUNKER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-96
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LD 420 proposed shifting the reporting requirements for sales of general use pesticides from the dealers to the distributors.

Committee Amendment "A" (S-96) proposes a definition for "distributes" to eliminate possible double reporting.

Enacted law summary

Public Law 1997, chapter 139 requires persons who distribute general use pesticides to licensed general use pesticide dealers to keep records of sales and report annually to the Board of Pesticides Control instead of requiring all licensed general use pesticide dealers to report. It defines "distribute" to eliminate possible double reporting and authorizes the Board of Pesticides Control within the Department of Agriculture, Food and Rural Resources to adopt rules to further clarify who must report.

LD 429 An Act to Protect the Potato Industry from the Spread of Serious Disease PUBLIC 538 EMERGENCY

<u>Sponsor(s)</u> PARADIS BUNKER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-741 BUNKER S-241
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