

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

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Staff:

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Maine State Legislature

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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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

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 628**An Act to Authorize the Maine Land Use Regulation Commission to Regulate the Location and Use of Roads in the Unorganized and Deorganized Areas**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUHLIN	ONTP MAJ	
JONES K	OTP-AM MIN	

LD 628 proposed giving the Maine Land Use Regulation Commission (LURC) the authority to limit the construction and maintenance of haul roads in management districts. It proposed directing LURC to adopt rules and establish a permitting system for regulating the location, use and construction of haul roads. At a minimum, a permit would be required in management districts for roads covering a ground area of three acres or more unless the roads were constructed and maintained in accordance with the commission's Land Use Handbook.

LD 643**An Act to Permit Forest Rangers to Carry Weapons**

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH	OTP-AM MAJ	
	ONTP MIN	

LD 643 proposed allowing forest fire wardens, forest rangers, deputy wardens and general deputy wardens to carry weapons that had been sanctioned by the Department of Conservation. The bill would have required forest fire wardens and forest rangers to attend a safety course prior to carrying the weapon and to pay all expenses associated with carrying the weapon.

Committee Amendment "A" (H-395) was the majority report of the Committee. It proposed replacing the original bill with a requirement that the Commissioner of Conservation develop a policy allowing a forest ranger to carry a weapon. The commissioner would have been required to submit the policy to the Joint Standing Committee on Agriculture, Conservation and Forestry. The amendment also proposed adding a fiscal note indicating minor costs to submit a policy.

House Amendment "B" to Committee Amendment "A" (H-489) proposed requiring the Commissioner of Conservation to establish a policy for forest rangers to carry weapons using the rulemaking process under the Maine Administrative Procedure Act. It proposed adding a fiscal note that reflected a range of potential implementation costs depending on the policy adopted.

House Amendment "A" to Committee Amendment "A" (H-485) proposed replacing the fiscal note on the committee amendment with a fiscal note that reflected a range of potential implementation costs depending on the policy adopted. This amendment was not adopted.

Committee Amendment "A" and **House Amendment "B"** were adopted by the House and Senate but the bill failed enactment in the Senate.