

# 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*

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***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 1405**

**An Act to License Timber Harvesters and Deter Timber Trespassing**

**CARRIED OVER**

Sponsor(s)  
DESMOND

Committee Report

Amendments Adopted

LD 1405 proposes requiring timber harvesters to obtain a license from the Department of Conservation, Bureau of Forestry. It provides for the revocation of a license and makes a person ineligible for a license for a period of three years if that person unlawfully cuts trees on another person's land.

**LD 1424**

**An Act to Allow ATV Use on Public Lands Not Specifically Designated as Primitive-use Land**

**PUBLIC 274**

Sponsor(s)  
RUHLIN

Committee Report  
OTP-AM

Amendments Adopted  
S-192

LD 1424 proposed requiring the Bureau of Parks and Lands within the Department of Conservation to establish a policy wherein the prudent use of ATV's would be allowed on public lands not designated as primitive-use lands.

**Committee Amendment "A" (S-192)** proposed removing the emergency provisions from the bill. It also proposed language to clarify that the required policy could limit the use of ATV's on certain public lands

*Enacted law summary*

Public Law 1997, chapter 274 requires the Bureau of Parks and Lands within the Department of Conservation to establish a policy that allows the prudent use of ATV's on public lands. The policy must be in place no later than June 1, 1998. The policy may limit the use of ATV's on some public lands. The bureau is not required to allow ATV use on land designated as primitive-use lands or land set aside for other uses incompatible with the use of ATV's.

**LD 1430**

**An Act to Regulate Professional Loggers**

**CARRIED OVER**

Sponsor(s)  
KILKELLY

Committee Report

Amendments Adopted

LD 1430 proposes establishing the Maine State Board of Licensure for Professional Loggers as the regulatory body for the profession. The bill proposes qualifications for licensure including a two-year internship under the guidance of a licensed logger unless the person has graduated from an approved two-year curriculum and has completed at least two years of experience in logging work. Applicants would also have to pass a written examination approved by the board. The annual licensing fee would be determined by the board, but could not exceed \$55 annually.

Pursuant to the Maine Revised Statutes, Title 5, section 12015, subsection 3, an evaluation of the need for regulation of loggers must be completed prior to enactment of this bill.