

# 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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**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](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:

- 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

acres in size to ensure the maintenance and enhancement of timber sustainability, the economic viability of forest management and the State's forest biodiversity. It proposes changes to the Bureau of Forestry's natural resource education program and directs the bureau's natural resource educator to develop partnerships and funding sources for creating new natural resource education initiatives for the public.

The bill proposes authorization of an ecological forest reserve on public lands, totaling between 8,000 and 10,000 acres. It also would direct the Maine Forest Service to undertake a study of liquidation harvesting and make recommendations to further restrict the practice.

**LD 1809                      Resolve, Authorizing the Exchange and Sale of Certain Public Lands                      RESOLVE 52**

<u>Sponsor(s)</u> PARADIS BELANGER D	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-295
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LD 1809 proposed authorizing the sale of certain parcels of public land under control of the Bureau of Parks and Lands.

**Committee Amendment "A" (S-295)** proposed a technical amendment, adding a cross-reference to the preamble of the resolve.

*Enacted law summary*

Resolve 1997, chapter 52 authorizes sale of the State's common and undivided 3/4 interest in approximately 54 acres located in the Town of Fort Kent. The State has entered into a purchase and sale contract with an abutting landowner to sell the State's common and undivided interest for \$12,800, which exceeds fair market value. It authorizes the sale of approximately 0.63 acres and associated buildings in the Town of Ashland and the sale of approximately 40 acres of undeveloped land in the Town of Solon. This resolve also authorizes the sale of one lot approximately 1/4 acre in size in Little Squaw Township. This conveyance resolves a long-standing boundary line matter involving the abutting landowner. Revenues generated by these sales will be used to purchase land containing more significant natural resources and public use values elsewhere in Aroostook County, Somerset County and Piscataquis County.

**LD 1852                      An Act to Reorganize and Clarify the Laws Relating to the Establishment, Powers and Duties of the Bureau of Parks and Lands                      CARRIED OVER**

<u>Sponsor(s)</u> KILKELLY BUNKER	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1852 proposes clarifying the establishment, powers and duties of the new Bureau of Parks and Lands without altering the essential missions, powers and purposes of the 2 former bureaus. The bill does not propose any new rule-making authority to the bureau. This bill proposes repealing certain provisions of law and consolidating

various bureau programs into one chapter, Maine Revised Statutes, Title 12, chapter 220. Public Law 1995, Chapter 502, An Act to Implement the Recommendations of the Productivity Realization Task Force, combined the Bureau of Public Lands and the Bureau of Parks and Recreation within the Department of Conservation. Section E-9 of P.L. 502 directed the Department of Conservation to review relevant statutes for the two bureaus and submit a proposal to the Legislature for a unified statute on the establishment, powers and duties of the Bureau of Parks and Lands.

The bill does not propose altering the essential purposes and practices of the bureau's programs as established in current law. The bill does propose the following substantive changes from current law:

1. Consent of the Commissioner of Conservation is added to that of the Governor for the charging of user fees, acquisition and conveyance of state parks and historic sites, the granting of licenses and permits for use of state park and historic site lands, and acquisition of land for the Maine Trails System.
2. The bureau is given specific authority to transfer management of state park and historic site lands to other agencies or accept such responsibility from other agencies with the consent of the Commissioner of Conservation and the Governor.
3. Language is deleted that prohibits searches of dwellings and railroad cars.
4. Specific authority is given to the bureau to administer the Forest Recreation Resource Fund and to receive income from campsites administered under this program on all lands within its jurisdiction for that fund, which presently receives income only from bureau lands.
5. Language is added to existing law to clarify that administration of the state park campsite reservation system by a private contractor is permissible.
6. Obsolete language is deleted regarding control of fires, real estate subject to flowage, lifeguard training, an official bureau seal and care of certain properties transferred from the Federal Government.
7. A general policy on public access to nonreserved lands is added similar to the one that already exists for public reserved lands.
8. It establishes that the Nonreserved Public Lands Management Fund accrues interest in the same manner as the Public Reserved Lands Management Fund.
9. It requires the director to give notice of proposed sales of nonreserved public lands similar to the notice required for public reserved lands.
10. To be consistent with penalties for violation of rules on other bureau lands, violation of rules regarding the Allagash Wilderness Waterway is changed from a civil violation to a Class E crime.
11. Permitted use of the ATV Recreational Management Fund is expanded to include land purchases for use as ATV trails.

The bill also proposes reference changes in the Maine Revised Statutes to coincide with the new chapter, updates obsolete language and makes technical corrections. It also removes reference to specific punishments for Class E crimes.