

MAINE STATE LEGISLATURE

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STATE OF MAINE
119TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE, CONSERVATION AND FORESTRY

JULY 1999

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Sen. Marge L. Kilkelly
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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	OTP MAJ	H-326 MARTIN
CARR	ONTP MIN	

LD 1188 proposed codifying the current policy of the Department of Conservation that forest rangers may, under life-threatening emergency conditions, assist law enforcement officers and that they are entitled to the same immunity and benefits as rangers are when they are performing their regular forest ranger duties. This bill was submitted on behalf of the Department of Conversation.

House Amendment "A" (H-326) proposed requiring the Commissioner of Conservation to sell all bullet-proof vests, firearms, and related equipment, if any, purchased by the Department of Conservation for the use of certain Bureau of Forestry employees. The amendment also proposed that funds generated by the sale be deposited in the General Fund. This amendment also proposed requiring the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Appropriations and Financial Affairs concerning the specific amount of revenue generated by the sale. This amendment also proposed prohibiting the Commissioner of Conservation from purchasing bullet-proof vests, firearms and related materiel without explicit legislative authorization.

Enacted law summary

Public Law 1999, chapter 352 codifies the current policy of the Department of Conservation that forest rangers may, under the life-threatening emergency conditions, assist law enforcement officers and that they are entitled to the same immunity and benefits as rangers are in performing their regular forest ranger duties.

It requires the Commissioner of Conservation to sell all bullet-proof vests, firearms, and related equipment purchased by the Department of Conservation for the use of certain Bureau of Forestry employees. Funds generated by the sale will be deposited in the General Fund. It requires the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Appropriations and Financial Affairs concerning the specific amount of revenue generated by the sale. It specifically prohibits the Commissioner of Conservation from purchasing bullet-proof vests, firearms and related materiel without explicit legislative authorization.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	ONTP	

LD 1193 proposed requiring that 10% of the funds expended by the Land for Maine's Future Board to acquire natural lands be used to acquire lands of local or regional significance.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY	OTP-AM	H-230 PIEH
KIEFFER		

LD 1239 proposed replacing archaic language regarding the election of soil and water conservation district supervisors and permitting temporary appointments to fill vacancies in unexpired terms of elected supervisors.

Committee Amendment "A" (H-111) proposed striking an unnecessary word in the bill.

House Amendment "A" (H-230) proposed clarification of the initial staggered terms for soil and water conservation district supervisors.

Enacted law summary

Public Law 1999, chapter 138 replaces archaic statutory language regarding the election of soil and water conservation district supervisors and permits temporary appointments to fill vacancies in unexpired terms of elected supervisors.

LD 1240 **Resolve, Regarding Legislative Review of Chapter 20: Forest Regeneration and Clearcutting Standards, a Major Substantive Rule of the Department of Conservation** **RESOLVE 49 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-552
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LD 1240, proposed authorization of final adoption of Chapter 20: Forest Regeneration and Clearcutting Standards, a major substantive rule of the Department of Conservation.

Committee Amendment "A" (H-552) proposed authorizing the Commissioner of Conservation to finally adopt Chapter 20: Forest Regeneration and Clearcutting Standards, a provisionally adopted major substantive rule of the Department of Conservation, provided that the changes indicated in the revised rule dated April 28, 1999 are incorporated. This amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 49 authorizes the Commissioner of Conservation to finally adopt Chapter 20: Forest Regeneration and Clearcutting Standards, a provisionally adopted major substantive rule of the Department of Conservation, providing that the rule is amended to incorporate changes indicated in the revised rule dated April 28, 1999. These changes pertain to clear-cut size categories, the required height of softwood for assessing a stand of acceptable growing stock, stocking and regeneration standards from a percent basis to a trees-per-acre basis. The rule as authorized by this resolve exempts landowners with fewer than 100 acres total ownership from certain standards for clear-cuts and changes the provisions for maintenance of separation zones. The Commissioner of Conservation is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.

Chapter 49 was enacted as an emergency measure effective June 1, 1999.

LD 1248 **An Act to Resolve Technical Inconsistencies in the Nutrient Management Act** **ONTP**

<u>Sponsor(s)</u> COWGER NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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