

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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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.

LD 1420

An Act to Require All Landowners in LURC's Jurisdiction to Be Notified of Regulatory Restrictions

ONTP

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

LD 1420 proposed requiring the Land Use Regulation Commission to send notice by certified letter to a landowner whose property was being considered for a regulatory restriction or inclusion in a government inventory, map or plan that would result in a regulatory restriction. The bill proposed that the commission be required to prepare and maintain for public inspection a certificate listing the names and addresses of landowners to whom notice was mailed.

Committee Amendment "A" (H-553) was the minority report of the committee. It proposed to replace the original bill and to require written notice be mailed to all landowners with property affected by or abutting property affected by a proposed amendment to land use district boundaries. It also proposed to add an appropriation section and a fiscal note to the bill.

LD 1467

Resolve, to Authorize the Director of the Bureau of Parks and Lands to Exchange Land between the State and Pownal Relating to Bradbury Mountain State Park

RESOLVE 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL KONTOS	OTP-AM	H-109

LD 1467 proposed authorizing the Director of the Bureau of Parks and Lands to exchange 1.5 acres of Bradbury Mountain State Park with the Town of Pownal for 4.5 acres of land owned by the Town of Pownal.

Committee Amendment "A" (H-109) proposed to remove the emergency preamble and emergency clause from the resolve and to correct the acreage being exchanged.

Enacted law summary

Resolve 1999, chapter 13 authorizes the Director of the Bureau of Parks and Lands to exchange 1.5 acres of Bradbury Mountain State Park with the Town of Pownal for 4.5 acres of land owned by the Town of Pownal.

Chapter 13 was enacted as an emergency measure effective April 16, 1999.

LD 1474

An Act to Enhance Equity Under the Maine Milk Pool Laws

**PUBLIC 210
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP	S-94 KILKELLY

LD 1474 proposed requiring each Maine market dealer to make the initial payment according to the blend price calculated using the Federal Milk Order utilization rate or the Federal Milk Order Zone 1 blend price, whichever is

greater. Current law requires each Maine market dealer in milk to make an initial payment to the dealer's Maine market producers according to the blend price calculated using the Federal Milk Order utilization rate.

Senate Amendment "A" (S-94) proposed to add an emergency preamble and clause to the bill to make it effective June 1, 1999.

Enacted law summary

Public Law 1999, chapter 210 requires each Maine market dealer to make the initial payment according to the blend price calculated using the Federal Milk Order utilization rate or the Federal Milk Order Zone 1 blend price, whichever is greater.

Chapter 210 was enacted as an emergency measure effective June 1, 1999.

LD 1475 An Act to Clarify the Tree Growth Tax Law CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE GAGNON		

LD 1475 proposed requiring landowners who own more than 100,000 acres of land in the State to harvest at or below a sustainable level on their forest land taxed under the Maine Tree Growth Tax Law. It proposed requiring the Department of Conservation to adopt rules to establish a procedure for determining landowner compliance. This bill was originally referred to the Joint Standing Committee on Taxation. (See bill summaries under that committee for a summary of proposed Committee Amendment "A" S-235) This bill was re-referred to the Joint Standing Committee on Agriculture, Conservation and Forestry on June 3rd.

LD 1497 An Act Authorizing the Maine Land Use Regulation Commission to Regulate Industrialized Farms within Unorganized and Deorganized Areas ONTP

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

LD 1497 proposed authorizing the Maine Land Use Regulation Commission to regulate agriculture in management districts if it meets the definition of an industrialized farm. It proposed a definition of industrialized farm.

LD 1535 An Act to Require Notice to Abutters Prior to Commercial Applications of Pesticides ONTP

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

LD 1535 proposed requiring commercial applicators of pesticides to provide a one-week advance notice of applications to residences on abutting property.