

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Agriculture, Conservation and Forestry*

*May 2002*

**Members:**

*Sen. Richard Kneeland, Chair  
Sen. John M. Nutting  
Sen. Marge L. Kilkelly*

*Rep. Linda Rogers McKee, Chair  
Rep. Paul Volenik  
Rep. Susan M. Hawes  
Rep. Sally Landry  
Rep. Jacqueline A. Lundeen  
Rep. Raymond G. Pineau  
Rep. Walter R. Gooley  
Rep. Clifton E. Foster  
Rep. Roderick W. Carr  
Rep. Arlan R. Jodrey*

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**120th Legislature**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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:

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
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
PASSED	Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
**Offices located in Room 215 of the Cross Office Building**

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1855**

## An Act to Clarify the Regulatory Authority of the Maine Forest Service Regarding Forestry-related Quarantines

**PUBLIC 547**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J GOOLEY	OTP-AM	S-446

LD 1855 proposed specifically authorizing the Director of the Maine Forest Service to address eradication of forest diseases and pests of foreign origin.

**Committee Amendment "A" (S-446)** proposed authorizing the Director of the Maine Forest Service to adopt rules to establish quarantines when a disease or insect infestation threatens forest trees or shade trees. It proposed allowing the director to order the destruction of trees and plant materials and requiring the director to consult with the landowner and owner of stumpage rights prior to ordering the destruction of condemned material.

### *Enacted law summary*

Public Law 2001, chapter 547 authorizes the Director of the Maine Forest Service to adopt rules to establish quarantines when a disease or insect infestation threatens forest trees or shade trees. It allows the director to order the destruction of trees and plant materials. It requires the director to consult with the landowner and owner of stumpage rights prior to ordering the destruction of condemned material.

**LD 1905**

## An Act to Clarify the Status of Henderson Brook Bridge

**P & S 58**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH BRUNO	OTP-AM	S-471

LD 1905 proposed allowing Henderson Brook Bridge to be maintained as a permanent crossing of the Allagash River in substitution for the potential reconstruction of Schedule Brook Bridge. In exchange, all rights to build or maintain a bridge at Schedule Brook would have been extinguished.

**Committee Amendment "A" (S-471)** proposed replacing the original bill and changing its title. It proposed allowing Henderson Brook Bridge to remain and be repaired pending the Department of Conservation's review of its 1999 Allagash Wilderness Waterway Management Plan.

### *Enacted law summary*

Private and Special Law 2001, chapter 58 allows Henderson Brook Bridge to remain and be repaired pending the Department of Conservation's review of its 1999 Allagash Wilderness Waterway Management Plan. If, upon completion of the review, the department concludes that the bridge should not remain in use, the department must report that decision to the Legislature.