

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 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.

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 2096

**Resolve, to Promote the Interests of the People of Maine when
Public Funds are Used to Acquire Conservation Easements**

**RESOLVE 116
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP AM MAJ ONTP MIN	H-1100 MCKEE H-990 S-586 GOLDTHWAIT

LD 2096 proposed requiring the Director of the State Planning Office to convene a working group to develop a process for state agencies to use when negotiating conservation easements to be acquired with state funds. The bill would have required the director to invite various agencies and members of the Joint Standing Committee of Agriculture, Conservation and Forestry to participate in the working group. It would have charged the working group with developing criteria for acquiring public access rights and guidelines for stipulations regarding forest management when the landowner retained the right to harvest timber. It proposed requiring the Director of the State Planning Office to report to the joint standing committee of the Legislature having jurisdiction over public lands matters no later than January 15, 2003.

Committee Amendment "A" (H-990) proposed amending the Resolve to recognize the ongoing work of a group convened by the Executive Director of the State Planning Office consisting of representatives of the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Inland Fisheries and Wildlife, the Office of the Attorney General and the Atlantic Salmon Commission. It proposed directing the chairs of the Joint Standing Committee of Agriculture, Conservation and Forestry to appoint a Legislator to serve on the working group as it finalized its work.

House Amendment "A" to Committee Amendment "A" (H-1100) proposed having the Speaker of the House rather than the chairs of the Joint Standing Committee on Agriculture, Conservation and Forestry appoint the Legislator who served on the Committee to Study Access to Private and Public Lands in Maine to participate in the working group.

Senate Amendment "B" to Committee Amendment "A" (S 586) proposed funding from the Land for Maine's Future Fund for the per diem and expenses of the Legislator who would participate in the working group. The Committee Amendment proposed a \$470 appropriation from the General Fund to cover these costs.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Resolve 2001, chapter 116 recognizes the ongoing work of a group convened by the Executive Director of the State Planning Office to develop a process for state agencies to use when negotiating conservation easements to be acquired with state funds. The working group consists of representatives of the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Inland Fisheries and Wildlife, the Office of the Attorney General and the Atlantic Salmon Commission. The Resolve directs the Speaker of the House to appoint a Legislator who served on the Committee to Study Access to Private and Public Lands to participate in the working group as it finalizes its work.

The working group is charged with developing criteria for acquiring public access rights and guidelines for stipulations regarding forest management when the landowner retains the right to harvest timber. The Director of the State Planning Office is required to provide notices of all remaining meetings of the working group and to report to the joint standing committee of the Legislature having jurisdiction over public lands matters no later than January 15, 2003.

Resolve 2001, chapter 116 was enacted as an emergency measure effective April 11, 2002.

LD 2097

An Act to Implement the Recommendations of the Committee to Study Access to Private and Public Lands in Maine

PUBLIC 564

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-889
	OTP-AM MIN	

LD 2097 proposed requiring a person submitting a proposal for funding from the Land for Maine's Future Fund or the Public Access to Maine Waters Fund to provide information on the anticipated management of the property and costs associated with the management of the property and monitoring for compliance with easements acquired.

It proposed requiring the Director of the Bureau of Forestry within the Department of Conservation to include information on changes in ownership of forest land and parcel size in the biennial state of the forest report. It proposed requiring the Bureau of Revenue Services to provide information on large land transfers in the unorganized territory, on the number of parcels in the unorganized territory taxed under the Maine Tree Growth Tax Law and on the number of landowners owning 500 acres or more of commercial forest land.

LD 2097 also proposed requiring land initially enrolled as open space land after April 1, 2002 to be open to the public for nonmotorized recreation.

Committee Amendment "A" (H-889) was the majority report of the committee. It proposed specifying that the required description of management envisioned for a property would be for the 10-year period following acquisition. It proposed removing the sections in the bill that would have required public access for property initially enrolled as open space land after April 1, 2002.