

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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Maine State Legislature
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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

animal welfare laws. It proposed language to clarify that trapping animals is a violation of the cruelty to animals provisions except as permitted under the laws administered by the Department of Inland Fisheries and Wildlife. It proposed additional cross-references in statutes regarding surcharges and funds received by the courts.

Enacted law summary

Public Law 2001, chapter 617 clarifies that the courts must pay to the towns fines and forfeitures imposed for violations of the Maine Revised Statutes, Title 7, Part 9 and the municipal clerk must deposit the money in the town's animal welfare account. It imposes a surcharge of \$10 on forfeitures for civil violations of the animal welfare laws. It imposes a surcharge of 10% on fines for criminal violations of the animal welfare laws. The surcharge must be deposited in the state Animal Welfare Fund. It allocates from the Animal Welfare Fund to fund 2 District Humane Agents and a Veterinarian positions. It eliminates funding for 4 of the 7 Intermittent State Humane Agents.

LD 2156 **An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Land for Maine's Future Board Under the Government Evaluation Act** **PUBLIC 548**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 2156 proposed requiring the Land for Maine's Future Board to include in its annual report an update on projects acquired and managed by a cooperating entity. It proposed allowing the Commissioner of Agriculture, Food and Rural Resources to dispose of interest in land. It also proposed dates for the next review of several agencies under the Government Evaluation Act.

Enacted law summary

Public Law 2001, chapter 548 requires the Land for Maine's Future Board to include in its annual report an update on projects acquired and managed by a cooperating entity. It allows the Commissioner of Agriculture, Food and Rural Resources to dispose of interest in land. It also establishes dates for the next review of several agencies reviewed during the Second Regular Session of the 120th Legislature under the Government Evaluation Act by the Joint Standing Committee on Agriculture, Conservation and Forestry.

LD 2168 **Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands** **RESOLVE 108**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
MARTIN BUNKER		OTP-AM		S-511 S-513 MARTIN

LD 2168 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey 3 relatively small parcels of public reserved lands.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (S-511) proposed adding a fiscal note to the resolve.

Senate Amendment "A" (S-513) proposed language making the transfer of a portion of road in Eagle Lake Township contingent on a vote by the Town of Eagle Lake to accept the private road being conveyed by the Bureau of Parks and Lands. It also proposed granting the State reversionary rights if the road were abandoned or discontinued.

Enacted law summary

Resolve 2001, chapter 108 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey a portion of road in Eagle Lake Township to the Town of Eagle Lake, allowing the road to be established as a public way, maintained by the town. It allows the director to convey a parcel in Eagle Lake, occupied by a septic system, to current lessees of same for fair market value. It also allows the director to convey a portion of the Codyville Public Lot that has been cleared and occupied by residential structures and an associated building to the owners of the structures in exchange for a release of any remaining right they may have in the Codyville Public Lot.

LD 2181 **An Act to Amend the Rule-making Authority of the Department of Conservation Regarding Timber Harvesting in Shoreland Areas** **PUBLIC 566**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2181 proposed amending the statutory provision directing the Department of Conservation to provisionally adopt rules to establish timber harvesting standards in shoreland areas.

Enacted law summary

Public Law 2001, chapter 566 amends the statutory provision directing the Department of Conservation to provisionally adopt rules to establish timber-harvesting standards in shoreland areas. It removes certain parameters previously set in statute. (See the summary for Resolve 101)

HP 1589 **JOINT ORDER, Relative to the Commission to Study Issues Concerning Land Acquisition in Washington County** **ONTP**

Sponsor(s)
MORRISON

Committee Report

Amendments Adopted

HP1589 proposed establishing a 7 member study commission to gather information on patterns of land ownership in Washington County and possible impacts of anticipated land acquisitions and acquisitions of conservation easements in the county. The study commission would have been required to submit a report with findings and recommendations to the joint standing committee having jurisdiction over agriculture, conservation and forestry matters by November 6, 2002. In response to testimony at the public hearing on the joint study order, the committee wrote to Evan Richert, Chair of the Land for Maine's Future Board, requesting that a public meeting be