

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

July 2003

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Richard Kneeland
Sen. Edward M. Youngblood*

*Rep. Linda Rogers McKee, Chair
Rep. Jacqueline A. Lundeen
Rep. Raymond G. Pineau
Rep. John F. Piotti
Rep. Nancy E. Smith
Rep. Roderick W. Carr
Rep. Ken Honey
Rep. Kenneth C. Fletcher
Rep. Eugene L. Churchill
Rep. John Eder*

Staff:

Jill Ippoliti, Legislative Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

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

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

LD 714 **An Act To Establish the Allagash Waterway Advisory Council** **ONTP**

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

LD 714 proposed requiring the Department of Conservation, Bureau of Parks and Lands to manage the Allagash Wilderness Waterway in accordance with the current management plan, that was adopted by the Department of Conservation on January 27, 1999. It proposed creating the Allagash Waterway Advisory Council and requiring that the council approved amendments to the plan. This bill also proposed designating rules adopted by the bureau for administration of the waterway as major substantive rules, subject to legislative review and approval.

LD 717 **An Act Related to the Sale of Personal Sports Mobiles** **ONTP**

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

LD 717 proposed dedicating fines for violations of Title 10, section 1243-A to the Snowmobile Trail Fund and the ATV Recreational Management Fund, both administered by the Department of Conservation. Title 10, section 1243-A prohibits a person from selling or offering for sale a new personal sports mobile unless that person possesses a franchise from the dealer of the personal sports mobile.

LD 723 **An Act To Require an Annual Report for the Allagash Wilderness Waterway** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BENNETT R	ONTP	

LD 723 proposed requiring the Director of the Bureau of Parks and Lands to submit an annual report relating to management and use of the Allagash Wilderness Waterway to the joint standing committee of jurisdiction.

LD 738 **An Act To Save Maine Dairy Farms** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE BRYANT		

LD 738 proposes directing the Maine Milk Commission to establish a maximum rate of return for the retail sale of milk. It proposes allowing the commission to order a retail store to lower its prices when the commission determines that the maximum rate of return has been exceeded. It proposes requiring the owner or manager of a

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retail store to keep certain records and requiring the owner or manager of a retail store with daily sales in excess of 100 quarts of milk a day to submit monthly reports to the commission.

LD 759 **An Act Concerning Public Members of the Board of Pesticides Control** **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 759 proposed to increase the number of public members on the Board of Pesticides Control from 2 members to 4 members and proposed to require that the new members come from environmental and public health groups.

LD 777 **An Act To Amend the Laws Regarding the Location of the Wells National Estuarine Research Reserve** **P & S 11**

<u>Sponsor(s)</u> COLLINS CARPENTER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-100
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LD 777 proposed to provide that the Wells National Estuarine Research Reserve contains lands or interests in land within the defined location of the reserve acquired from willing sellers or added to the reserve by agreement for the purpose of furthering the reserve's conservation, research or educational purposes. The bill also proposed to change references to the Bureau of Parks and Recreation and the Bureau of Public Lands to the Department of Conservation and to correct the reference to the legislative committee of jurisdiction.

Committee Amendment "A" (H-100) proposed to correct an error in the original Private and Special Law that refers to the Eldridge River. The correct reference is the Ogunquit River.

Enacted Law Summary

Private and Special Law 2003, chapter 11 amends the description of the location of the Wells National Estuarine Research Reserve to include lands or interests in land acquired from willing sellers or added to the reserve by agreement for the purpose of furthering the reserve's conservation, research or educational purposes. It requires the Wells National Estuarine Research Reserve Management Authority to provide a copy of its annual financial report to the joint standing committee of the Legislature having jurisdiction over conservation matters. This is a correction to designate the appropriate committee of jurisdiction to receive the report.