

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:

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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 1055

An Act To Promote Enforcement Training for Bureau of Parks and Lands Staff

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KOFFMAN EDMONDS | ONTP | |

LD 1055, a concept draft pursuant to Joint Rule 208, proposed increasing enforcement training for rangers and staff of the Department of Conservation Department of Conservation, Bureau of Parks and Lands. The bill proposed to require the bureau to annually train its field staff in law enforcement practices sufficient to police public lands and issue arrest warrants for infractions of state laws. The bill proposed requiring an annual report to the Legislature describing the type of training offered, participation in the training program and an assessment of and recommendations for increasing the effectiveness of the training.

LD 1056

Resolve, To Ensure Orderly Planning for the Allagash Wilderness Waterway

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KOFFMAN EDMONDS | ONTP | |

LD 1056 proposed prohibiting the Department of Conservation, including the Maine Land Use Regulation Commission, the Department of Environmental Protection and any other state agency from developing any new access points in the Allagash Wilderness Waterway until the management plan review process was completed in February 2004.

LD 1098

An Act Regarding Mandated Reporters and Child Abuse

PUBLIC 145

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BRENNAN KANE | OTP-AM | S-84 |

LD 1098 proposed to require Department of Agriculture, Food and Rural Resources humane agents to report to the Department of Health and Human Services investigations of animal abuse in homes where children and elderly dependent people live.

Committee Amendment "A" (S-84) proposed to add state humane agents to the list of professionals required to report to the Department of Human Services when they knew or had reasonable cause to suspect that a child or a dependent or incapacitated adult had been or was likely to be abused.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted Law Summary

Public Law 2003,chapter 145 adds state humane agents to the list of professionals required to report to the Department of Human Services when they know or have reasonable cause to suspect that a child has been or is likely to be abused. It also adds state humane agents to the list of professionals required to report to the Department of Human Services when they know or have reasonable cause to suspect that a dependent or incapacitated adult has been abused or neglected.

LD 1106 **An Act To Require Wilderness Management Training for the
Manager of the Allagash Wilderness Waterway** **ONTP**

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

LD 1106 proposed requiring the manager of the Allagash Wilderness Waterway to receive training in the management of wilderness areas.

LD 1114 **An Act To Allow the Sale of Wood Chips by Uncertified Persons** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOODY | ONTP | |

LD 1114, a concept draft pursuant to Joint Rule 208, proposed requiring paper and logging companies to purchase forest products for chipping and other purposes from small wood harvesters in Maine who are not certified in sustainable forestry practices.

LD 1142 **An Act To Restructure the Power and Duties within the Animal
Welfare Act** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LAVERRIERE-BOUC | ONTP | |

LD 1142 proposed transferring authority for enforcing the Animal Welfare Act from the Commissioner of Agriculture, Food and Rural Resources to the newly created chief humane agent within the Department of Agriculture, Food and Rural Resources. It proposed requiring the chief humane agent to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters and to the Animal Welfare Advisory Council. See the bill summary for LD 1545 for a summary of enacted provisions relating to animal welfare this session.