

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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LD 62 **Resolve, To Require the Department of Conservation To Maintain Public Access To the Fire Tower on Rocky Mountain near Allagash** **ONTP**

<u>Sponsor(s)</u> JACKSON MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 62 proposed directing the Department of Conservation to maintain as an historic site and to open to the public the fire tower on Rocky Mountain in T18 R12 WELS.

LD 95 **An Act To Support the Department of Conservation, Bureau of Forestry's Aerial Fire Suppression Program** **PUBLIC 28**

<u>Sponsor(s)</u> NUTTING J PINEAU		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-17
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LD 95 proposed establishing a dedicated account within the Department of Conservation, Bureau of Forestry to accept reimbursement funds related to the use of the department's aerial fire suppression resources.

Committee Amendment "A" (S-17) proposed specifying that the account be established through the Office of the State Controller and that any money received for the use of the Department of Conservation, Bureau of Forestry's aerial fire suppression resources be deposited into the Aerial Fire Suppression Fund.

Enacted law summary

Public Law 2005, chapter 28 establishes a dedicated account within the Department of Conservation, Bureau of Forestry to accept reimbursement funds related to the use of the department's aerial fire suppression resources. Funds in the account accrue and are used to upgrade, maintain and support the bureau's aerial fire suppression fleet.

LD 117 **An Act To Amend Provisions of the Maine Land Use Regulation Commission Law** **INDEF PP**

<u>Sponsor(s)</u> PIOTTI NUTTING J		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-156
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LD 117 proposed allowing a fee to be assessed by the Maine Land Use Regulation Commission, LURC, for a zoning petition to change an area's designation from a general management subdistrict to a development subdistrict. It also proposed deleting statutory language duplicated in the schedule of fees section of LURC's rules. This bill also proposed a land use service fee assessment for towns which have annexed lands from the

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unorganized territories based on the state valuation only for the portion of a town or plantation that is within the jurisdiction of LURC.

Committee Amendment "A" (H-156) proposed retaining the permitting fee ranges in statute proposed for repeal in the bill and designating any revised rules establishing new fees as major substantive rules.

The provisions of LD 117 as amended by Committee Amendment "A" were incorporated in the Appropriations and Financial Affairs Committee Amendment to LD 1677, the Supplemental Budget Bill and enacted as P.L. 2005, Chapter 386, Part I.

LD 133 **Resolve, To Support Long-term Forest Management and Sound Silviculture** **RESOLVE 28**

<u>Sponsor(s)</u> PIOTTI NUTTING J		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-253
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LD 133 proposed directing the Commissioner of Conservation to conduct research on economic incentives to support long-term forest management and sound silviculture, and to recommend legislation to the Second Regular Session of the 122nd Legislature.

Committee Amendment "A" (H-253) proposed establishing an interim report date of February 1, 2006 and including farmers among the groups to be represented when the Commissioner of Conservation is soliciting input.

Enacted law summary

Resolve 2005, chapter 28 directs the Commissioner of Conservation to develop recommendations and an implementation plan for economic incentives to support long-term forest management and sound silviculture. The Commissioner is directed to review options specified in the resolve and to solicit input from interested parties. The Resolve directs the commissioner to provide a progress report to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 1, 2006. The committee is authorized to submit a bill to encourage long-term forest management and sound silviculture to the Second Regular Session of the 122nd Legislature.

LD 139 **An Act To Make a Record of Dog Licenses Available On-line** **ONTP**

<u>Sponsor(s)</u> ANDREWS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 139 proposed requiring the Commissioner of Agriculture, Food and Rural Resources to create and maintain a publicly accessible database on the Internet of all dog licenses in the State including the name and contact information of the owner for each dog listed.