

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.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 934 **Resolve, To Transfer Ownership of Certain Public Reserved Lands CARRIED OVER to the Town of Allagash**

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

LD 934 proposed the transfer of certain public lands to the Town of Allagash.

Committee Amendment "A" (H-504) proposed replacing the resolve. It proposed directing the Director of the Bureau of Parks and Lands within the Department of Conservation to provide information on the disposition of the public lots in towns and plantations that have incorporated since January 1, 1973. The amendment also proposed requiring the director to review contract provisions for the sale of wood and to develop model provisions that give preference to local markets. It required the Director to report to the Joint Standing Committee on Agriculture, Conservation and Forestry on these tasks by January 15, 2006. The Minority Report was accepted in the Senate. The House accepted the Majority Report of Ought Not to Pass.

After a conference committee, both bodies voted to recommit LD 934 to the Joint Standing Committee on Agriculture, Conservation and Forestry. This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 959 **Resolve, Directing the Department of Conservation, Bureau of Parks and Lands To Develop a Plan To Create a Regional Recreation Center in the Town of Blue Hill** **ONTP**

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

LD 959 proposed directing the Director of the Bureau of Parks and Lands within the Department of Conservation to work with several communities in western Hancock County to develop a plan to create a regional recreation center in the Town of Blue Hill. The bill proposed requiring the director to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2006 and authorizing the committee to report out legislation to the Second Regular Session of the 122nd Legislature regarding the development of a regional recreation center.

LD 961 **An Act To Establish the Agricultural Water Management Fund** **PUBLIC 150 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN	OTP-AM	H-284

LD 961 proposed establishing a fund in the Department of Agriculture, Food and Rural Resources that would accept money from any source for the purpose of improving the adoption of irrigation for agricultural businesses.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (H-284) proposed changing the name of the fund to the Agricultural Water Management and Irrigation Fund and clarifying that the fund might be used for irrigation and providing water for livestock operations.

Enacted law summary

Public Law 2005, chapter 150 establishes the Agricultural Water Management and Irrigation Fund in the Department of Agriculture, Food and Rural Resources. The department is authorized to accept money from any source for deposit in the fund. The fund may be used for irrigation and providing water for livestock operations. Public Law 2005, chapter 150 was enacted as an emergency measure effective May 20, 2005.

LD 967 **An Act To Amend the Laws Governing Dogs at Large** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M	ONTP MAJ OTP-AM MIN	

LD 967 proposed requiring a dog to be quarantined at a boarding kennel or a veterinary clinic if the dog has bitten a person or a domesticated animal or the dog is the subject of a complaint under Maine laws regarding dangerous dogs and the dog's owner or keeper does not provide an animal control officer with a valid certificate of rabies vaccination for the dog.

Committee Amendment "A" (H-430) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed allowing an animal control officer to determine the place of quarantine for a dog that has bitten a person or domesticated animal. It increases the fine for failure to abide by quarantine provisions and other rules adopted to control rabies. The minority report was not adopted.

LD 1002 **An Act To Transfer Responsibility from the Potato Marketing Improvement Committee to the Maine Potato Board** **PUBLIC 335**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN LUNDEEN	OTP-AM	S-276

LD 1002 proposed transferring the responsibilities of the Commissioner of Agriculture, Food and Rural Resources as they pertain to potato marketing, the Potato Marketing Improvement Committee and the Potato Marketing Improvement Fund to the Maine Potato Board. It also proposed expanding uses of the Potato Marketing Improvement Fund.