

# 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 1572**

**An Act To Amend the Potato Industry Licensing Laws**

**PUBLIC 333  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUNDEEN MARTIN	OTP-AM	H-562

LD 1572 proposed amending the laws governing potato industry licensing and bonding to provide additional protection for producers and licensees.

**Committee Amendment "A" (H-562)** proposed clarifications to the requirements for a license renewal for potato dealers and brokers and restoring language providing for due process that was struck in the bill.

***Enacted law summary***

Public Law 2005, chapter 333 amends the laws governing potato industry licensing and bonding to provide additional protection for producers and licensees in the event that a person required to be licensed under these laws becomes insolvent. The bill requires the submission of a bond as a prerequisite for obtaining a license; requires licensees to apply for a license renewal annually; establishes a June 30th expiration date for all licenses; increases the license fee from \$80 to \$100 per year; and makes other administrative changes. Public Law 2005, chapter 333 was enacted as an emergency measure effective June 8, 2005.

**LD 1590**

**An Act To Allow the Maine Land Use Regulation Commission To Assess a Processing Fee for Certain Projects**

**PUBLIC 107  
EMERGENCY**

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

LD 1590 was a committee bill, reported out of the Joint Standing Committee on Agriculture, Conservation and Forestry with a unanimous "ought-to-pass" report. It proposed allowing the director of the Maine Land Use Regulation Commission to assess a processing fee for certain projects and establishing a system for tracking and paying expenses attributable to these projects.

***Enacted law summary***

Public Law 2005, chapter 107 allows the director of the Maine Land Use Regulation Commission to designate certain projects as "extraordinary projects" based on the project's size, uniqueness or complexity. It allows the director to assess a fee based on the cost of reviewing an application for an extraordinary project. Processing fees are deposited in a dedicated account and expenses attributed to review of a project are paid from the dedicated account.

Public Law 2005, chapter 107 was enacted as an emergency measure effective May 12, 2005.