

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

July 2006

Members:

*Sen. John M. Nutting, Chair
Sen. Bruce S. Bryant
Sen. Kevin L. Raye*

*Rep. John F. Piotti, Chair
Rep. Jacqueline A. Lundeen
Rep. Joanne T. Twomey
Rep. Rodney C. Jennings
Rep. Roderick W. Carr
Rep. Arlan R. Jodrey
Rep. Roger L. Sherman
Rep. Patrick S. A. Flood
Rep. Donald G. Marean
Rep. Peter Edgecomb*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second 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 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/billsumm.htm).

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:

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto).....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 2015

**Resolve, Authorizing Certain Land Transactions by the
Department of Conservation, Bureau of Parks and Lands**

RESOLVE 197

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY	OTP-AM A	H-1000 TRAHAN
NUTTING J	OTP-AM B	H-991
	ONTP C	S-612 MARTIN

LD 2015 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain property owned by the State and located in Aroostook, Cumberland, Franklin, Penobscot, Piscataquis and Washington counties.

Committee Amendment "A" (H-991) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed removing sections 1 to 8 from the resolve. The transactions proposed for authorization in Sections 2 through 8 of the bill were included in a separate committee bill. (See the bill summary for LD 2095) Section 1 of the original bill proposed authorizing the sale of 6 lots in Frenchtown, Township A, Range 13 WELS in Piscataquis County to persons who are not members of the First Roach Pond Leaseholders Coalition. This authorization was removed from LD 2015 and was not passed in any other legislation this session.

Committee Amendment "A" proposed retaining only Section 9 in the original bill, authorizing transfer of public lots in Aroostook, Franklin, Penobscot and Washington Counties. The proposal to transfer these public lots was part of a project referred to as the "Katahdin Lake Project" with the goal of acquiring land around Katahdin Lake for inclusion in Baxter State Park.

The committee amendment proposed excluding the eastern 143 acres in the Wyman Lot from the parcel in Franklin County authorized for transfer. It proposed making transfer of the public lots contingent on certain other transactions, actions and assurances. It proposed certain actions by the Department of Conservation relating to public access for recreation in the Katahdin Region.

Committee Amendment "B" (H-992) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed removing sections 1 to 8 from the resolve. It proposed excluding the eastern 143 acres in the Wyman Lot from the parcel authorized for transfer. It did not propose additional contingencies or actions relating to ultimate ownership of land around and in the vicinity of Katahdin Lake or to recreational uses in the Katahdin Region.

House Amendment "A" to Committee Amendment "A" (H-1000) proposed requiring that the proceeds of the sale of land authorized in the Resolve be used by the Land for Maine's Future Board to purchase land that is of similar in value to the parcels conveyed by the State.

Senate Amendment "A" to Committee Amendment "A" (S-612) proposed requiring that for a limited time period the Township of Glenwood Plantation and the Town of LaGrange transmit an amount equal to the property tax collected on the former public lots within their boundaries to the Treasurer of State for deposit into the Organized Townships Fund to be expended in accordance with the purposes of the fund under the Maine Revised Statutes, Title 12, section 1854.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted law summary

Resolve 2005, chapter 197 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain public lots located in Aroostook, Franklin, Penobscot, and Washington counties. It makes transfer of the public lots contingent on certain other transactions and assurances- including the transfer of approximately 4,040 acres in Township 3, Range 8 to the Baxter State Park Authority and the transfer of approximately 1,975 acres in Township 4, Range 8 to the Bureau of Parks and Lands. It specifies that the proceeds from the authorized sale of public lots in Penobscot County go towards purchasing the 1,975 acres in Township 4, Range 8. It requires the Bureau of Parks and Lands to construct and maintain a trail to Katahdin Lake from the east to connect with trails within Baxter State Park.

It requires the Department of Conservation to develop a comprehensive plan for increasing opportunities for snowmobiling in the Katahdin Region and for the Director of the Bureau of Parks and Lands within the Department of Conservation to convene a working group on acquisition of land for multiple uses. It requires the Land for Maine's Future Board to apply proceeds from the land sales in Aroostook, Franklin and Washington Counties to purchase land of a value similar to the parcels conveyed by the State.

Chapter 197 requires the Township of Glenwood Plantation and the Town of LaGrange to transmit an amount equal to the property tax collected on the public lots sold pursuant to Resolve 197 to the Treasurer of State, for deposit into the Organized Townships Fund.

LD 2042 **An Act To Amend the Harness Racing Laws Regarding** **PUBLIC 576**
Distributions from the Fund to Supplement Harness Racing Purses **EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT MAREAN	OTP-AM	S-553

LD 2042 proposed making quarterly payments from the Fund to Supplement Harness Racing Purses rather than trimester payments and a system to adjust total annual payments based on the number of dashes actually conducted at a racetrack. It also proposed allowing disbursement from the fund to include dashes held at extended meets.

Committee Amendment "A" (S-553) proposed clarifying the provisions allowing dashes at extended meets to qualify for distribution from the Fund to Supplement Harness Racing Purses.

Enacted law summary

Public Law 2005, chapter 576 authorizes quarterly payments from the Fund to Supplement Harness Racing Purses rather than trimester payments. The first 3 quarterly payments are based on the number of race dashes assigned to a racetrack in proportion to the total number of dashes assigned to all racetracks. Payments in the 4th quarter are adjusted so that total distributions for the year reflect the actual number of dashes raced by a racetrack in proportion to the total actual dashes conducted by all racetracks.

Chapter 576 allows agricultural fair licensees that held an extended meet in 2005 to qualify for distribution from the fund to supplement harness racing purses based on the total number of race dashes conducted. The number of