

# 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*

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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](http://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*

### ***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  
Distributions from the Fund to Supplement Harness Racing Purses**

**PUBLIC 576  
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 4<sup>th</sup> 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

## *Joint Standing Committee on Agriculture, Conservation and Forestry*

dashes at an extended meet that are counted in calculating distribution, however, may not exceed the number of dashes conducted at the extended meet in 2005.

Public Law 2005, chapter 576 was enacted as an emergency measure effective April 12, 2006.

**LD 2065**                      **An Act To Implement Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Pesticide Registration**                      **PUBLIC 585**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP-AM		H-944

LD 2065 proposed the committee report of the Joint Standing Committee on Agriculture, Conservation and Forestry following review of the Board of Pesticides Control under the Government Evaluation Act. The bill proposed increasing the registration fee for pesticides from \$125 to \$150. Registration fees are deposited in a dedicated revenue account to support the board and its staff in meeting their statutory duties.

**Committee Amendment "A" (H-944)** proposed directing the Board of Pesticides Control within the Department of Agriculture, Food and Rural Resources to advertise and conduct collections of obsolete or illegal pesticides in May and October of 2007.

### *Enacted law summary*

Public Law 2005, chapter 585 increases the registration fee for pesticides from \$125 to \$150. Registration fees are deposited in a dedicated revenue account to support the board and its staff in meeting their statutory duties. Chapter 585 also directs the Board of Pesticides Control within the Department of Agriculture, Food and Rural Resources to advertise and conduct collections of obsolete or illegal pesticides in May and October of 2007.

**LD 2077**                      **An Act To Make Adjustments to the Allagash Wilderness Waterway**                      **PUBLIC 598**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
MARTIN		OTP-AM    MAJ		S-559
JACKSON		ONTP      MIN		

LD 2077 proposed requiring the Department of Conservation, Bureau of Parks and Lands to submit any changes to the Allagash Wilderness Waterway Management Plan, as developed and implemented in 1999, to the Legislature for approval. This bill proposed designating the Henderson Brook Bridge as an approved watercourse crossing and recognizing the bridge as a vital link in the region, worthy of maintenance, repair and, if necessary, replacement. This bill proposed requiring the bureau to maintain certain campsites and access points as provided in the 1999 management plan.

**Committee Amendment "A" (S-559)** proposed listing in statute the locations of access points and permanent watercourse crossings within the Allagash Wilderness Waterway. The amendment proposed prohibitions on bridge construction at certain sites and extinguishing private rights for additional crossings. The amendment also proposed directing the Bureau of Parks and Lands to report to the joint standing committee of the Legislature