

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON AGRICULTURE,  
CONSERVATION AND FORESTRY**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 564      Resolve, To Streamline the Regulation of Agricultural Composters**

**RESOLVE 139**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-357

LD 564 requires commercial agricultural composting operations to register with the Department of Agriculture, Food and Rural Resources. The bill requires the Commissioner of Agriculture, Food and Rural Resources to adopt rules for the regulation of commercial agricultural composting operations. The bill also requires the Commissioner of Agriculture, Food and Rural Resources to submit a written report to the Commissioner of Environmental Protection if a violation of the laws administered by the Department of Environmental Protection is believed to have occurred because of a failure to implement prescribed best management practices.

### **Committee Amendment "B" (S-357)**

The committee amendment changes the bill to a resolve directing the Commissioner of Environmental Protection and the Commissioner of Agriculture, Food and Rural Resources to take certain steps regarding oversight of agricultural composting operations. The commissioners are directed to report back to both the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to submit legislation pertaining to agricultural composting operations during the Second Regular Session of the 123rd Legislature.

### **Enacted Law Summary**

Resolve 2007, chapter 139 directs the Commissioner of Environmental Protection to revise the department's rules pertaining to the licensing of agricultural composting operations as waste management facilities. The Commissioner of Agriculture, Food and Rural Resources is directed to develop components to be included in a compost management plan. The commissioners are directed to consult with one another as they proceed with these directives and are required to report back to both the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to submit legislation pertaining to agricultural composting operations during the Second Regular Session of the 123rd Legislature.

**LD 598      Resolve, To Allow Municipalities To Purchase Burn Permit Software**

**ONTP**

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

LD 598 directs the Department of Conservation, Maine Forest Service to allow municipalities to purchase and use burn permit software from a private party if all statutory requirements of issuing burn permits are met by the software.

**LD 629      Resolve, To Create the Sebago Lake Village State Park**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY SNOWE-MELLO	ONTP	

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 629 directs the Department of Conservation, Bureau of Parks and Lands to purchase the boat ramp on Sebago Lake in the Town of Standish and 3 acres of Portland Water District property surrounding the boat ramp to establish the Sebago Lake Village State Park. The State will pay the Town of Standish fair market value for the property acquired from the town for the park and the Portland Water District for the value of the property acquired from the district at the value of the property as determined by the tax assessed under the Maine Tree Growth Tax Law. This resolve directs the Bureau of Parks and Lands to improve the boat ramp in its existing location and create parking for 100 motor vehicles and boat trailers.

**LD 680      An Act To Increase Funding for the Spaying and Neutering of Companion Animals**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J		S-103

LD 680 changes the way the fees collected from the registration of pet food and commercial feed is distributed. Currently, 1/2 of the fees collected go to the General Fund and the other 1/2 goes to the Animal Welfare Fund. This bill directs the Commissioner of Agriculture, Food and Rural Resources to deposit 1/4 of the fees collected in the General Fund, 1/4 of the fees collected in the Companion Animal Sterilization Fund and 1/2 of the fees collected in the Animal Welfare Fund. This bill also adds language indicating that funds deposited in the Companion Animal Sterilization Fund also come from funds from the registration of pet food and commercial feed pursuant to the Maine Revised Statutes, Title 7, section 714, subsection 2.

**Committee Amendment "A" (S-103)**

Committee Amendment "A" is the majority report. It incorporates a fiscal note.

This bill was carried over to any special or regular session of the 123rd Legislature by Joint Order, H.P. 1369.

**LD 695      An Act Concerning Applications Processed by the Maine Land Use Regulation Commission**

**PUBLIC 114  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE BRYANT B	OTP-AM	H-95

LD 695 amends the permit application fees set by rule by the Maine Land Use Regulation Commission to remove the limits regarding subdivision applications and zoning petitions.

**Committee Amendment "A" (H-95)**

The committee amendment adds an emergency preamble and emergency clause to the bill.

**Enacted Law Summary**

Public Law 2007, chapter 114 removes the statutory limits on permit fees for subdivision applications and zoning petitions, allowing the Maine Land Use Regulation Commission to prescribe a wider range of fees through rulemaking.

Public Law 2007, chapter 114 was enacted as an emergency measure effective May 14, 2007.