

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2007

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STATE OF MAINE

123RD 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 123rd 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

5. Buffers from shorelines for broadcast applications of pesticides.

Public Law 2007, chapter 145 was enacted as an emergency measure effective May 21, 2007.

LD 1913

Resolve, Authorizing the Department of Conservation, Bureau of Parks and Lands To Convey Certain Lands

RESOLVE 91

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP-AM	H-520

LD 1913 allows the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain parcels of land and interest in certain lands owned by the State.

Committee Amendment "A" (H-520)

This amendment authorizes conveyance of a 2nd easement across a state-owned recreational trail to provide motor vehicle access within a residential subdivision in the Town of Jay. In the bill, the 2nd easement was restricted to aboveground and below ground utilities. This amendment also authorizes conveyance of approximately 4 acres of land on Upper Richardson Lake that is currently leased with the lessee owning the buildings on the property. The amendment stipulates that the conveyance is contingent on the property being transferred as one parcel with deed restrictions prohibiting future subdivision.

Enacted Law Summary

Public Law 2007, chapter 91 allows the Director of the Bureau of Parks and Lands within the Department of Conservation to convey:

1. An easement for electric transmission lines across 2 state-owned parcels to TransCanada Maine Wind Development, Inc. The parcels are in Wyman Township abutting existing utility corridors and proximate to or abutting State Route 27 and the Appalachian Trail Corridor;
2. An easement for electric transmission lines across a state-owned parcel to Bangor Hydro-Electric Company. The parcel is in Bradley;
3. An easement for electric transmission lines across a state-owned parcel to Bangor Hydro-Electric Company. The parcel is in Township 21 in Washington County;
4. The remaining state interests in the Sandy Pond Dam to the Town of Freedom;
5. Trail crossing rights and access rights across the state-owned St. John Valley Heritage Trail in St. John Plantation;
6. Trail crossing rights across the St. John Valley Heritage Trail in the Town of St. Francis;
7. State-owned property adjacent to a state-owned abandoned rail corridor trail in the Town of Mapleton to allow a landowner to rebuild and expand following a fire;
8. Trail crossing rights to the Town of Jay for a town way across a state-owned recreational trail in the Town of Jay;
9. To Taylor Made Homes Inc. an easement across a state-owned recreational trail in Jay to provide motor vehicle access within a residential subdivision as well as an easement for utilities crossings.

Joint Standing Committee on Agriculture, Conservation and Forestry

10. To the abutting landowner an easement across a state-owned access road to Bradbury Mountain State Park in the Town of Pownal;
11. State-owned property to the abutting landowner in the Town of Littleton, Aroostook County; and
12. Approximately 4 acres of land on Upper Richardson Lake to the current lessee owning the buildings on the property.

LD 1914 An Act To Extend the Time Allowed for Outcome-based Forestry

**PUBLIC 271
EMERGENCY**

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

LD 1914 extends the time during which the laws governing outcome-based forestry are in effect. These laws are scheduled to be repealed July 1, 2007. This bill delays the repeal date until July 1, 2012. It removes the acreage limitations on outcome-based forestry agreements.

Enacted Law Summary

Public Law 2007, chapter 271 extends the time during which the laws governing outcome-based forestry are in effect. until July 1, 2012 and removes the acreage limitations on outcome-based forestry agreements.

Public Law 2007, chapter 271 was enacted as an emergency measure effective June 8, 2007.

**LD 1930 Resolve, Authorizing the Department of Inland Fisheries and Wildlife
To Convey Certain Lands**

CARRIED OVER

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

LD 1930 authorizes the Commissioner of Inland Fisheries and Wildlife to sell 2 parcels of land in the Town of Kennebunk to Central Maine Power Company for appraised market value.

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