

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH 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 124th Maine Legislature.

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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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 247 Resolve, Directing the Commissioner of Conservation To Report on the Status of the Working Group on the Acquisition of Land for Multiple Uses **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H SHERMAN	ONTP	

This resolve directs the Commissioner of Conservation to report by March 1, 2009 to the Joint Standing Committee on Agriculture, Conservation and Forestry on the status of the working group convened pursuant to Resolve 2005, chapter 197, section 5. The working group was charged with reviewing options for the public acquisition of land or interest in land in the Katahdin region that is crucial for outdoor recreation and has a significant impact on the region's economy.

LD 305 An Act To Renovate and Expand the Boat Launch on Long Lake in St. Agatha **ACCEPTED ONTP REPORT**

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

This bill proposes a one-time Other Special Revenue Funds allocation of \$158,000 to renovate and expand the boat launch on Long Lake in St. Agatha.

Committee Amendment "A" (H-150)

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It incorporates a fiscal note.

LD 316 An Act To Allow Eleven Large Game Shooting Areas in the State **PUBLIC 249**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP-AM MAJ ONTP MIN	H-236

This bill allows the Commissioner of Agriculture, Food and Rural Resources to approve one application for a license to operate a commercial large game shooting area from an applicant who did not operate a commercial large game shooting area between October 1, 1999 and March 15, 2000. It directs the commissioner to approve an application for a commercial large game shooting area to be located in Piscataquis County.

Committee Amendment "A" (H-236)

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It establishes a process for issuing licenses for commercial large game shooting areas that were not operating between October 1, 1999 and March 15, 2000. It limits the total number of licenses for operating a commercial large

Joint Standing Committee on Agriculture, Conservation and Forestry

game shooting area to 11. It allows licensed commercial large game shooting areas to offer genus and species of large game in addition to those offered between October 1, 1999 and March 15, 2000.

Enacted Law Summary

Public Law 2009, chapter 249 establishes a process for issuing licenses for commercial large game shooting areas that were not operating between October 1, 1999 and March 15, 2000. It limits the total number of licenses for operating a commercial large game shooting area to 11. It allows licensed commercial large game shooting areas to offer genus and species of large game in addition to those offered between October 1, 1999 and March 15, 2000.

LD 354 An Act To Allow Wider Kayaks in the Allagash Wilderness Waterway

ONTP

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

This bill, a concept draft, proposes to amend the current law and to direct the Department of Inland Fisheries and Wildlife to amend its rules to allow wider kayaks in the Allagash Wilderness Waterway.

LD 413 An Act To Clarify Land Use Regulation in Unorganized and Deorganized Townships

PUBLIC 401

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H SHERMAN	OTP-AM MAJ ONTP MIN	H-383

This bill clarifies the purpose of land use regulation in the unorganized and deorganized townships of the State by confirming that such regulation is for the benefit of property owners and residents of these areas as well as for the public benefit. The bill also provides that the Legislature acknowledges that these areas are important to the continued vitality of the State and to local economies by promoting forest management and agricultural activities.

Committee Amendment "A" (H-383)

This amendment is the majority report of the committee. It removes the proposed language specific to supporting and promoting forest management and agricultural activities. It retains language in the bill that references the benefit of the property owners and residents of land within the jurisdiction of the Maine Land Use Regulation Commission.

Enacted Law Summary

Public Law 2009, chapter 401 revises the purpose of land use regulation in the unorganized and deorganized townships of the State, confirming that such regulation is for the benefit of property owners and residents of these areas as well as for the public benefit.