

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

the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2010 on the policies developed under the resolve. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 30 requires the Department of Inland Fisheries and Wildlife, Department of Environmental Protection, Department of Marine Resources, Department of Agriculture, Food and Rural Resources and Department of Conservation to develop policies to guide employees when accessing private farmland and coastal lands as well as private woodland. It requires the departments to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2010 on the policies developed under the resolve. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 124th Legislature.

LD 562 An Act To Support Maine State Parks

**PUBLIC 27
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE BRYANT B	OTP-AM MAJ ONTP MIN	H-30

This bill allows the Department of Conservation, Bureau of Parks and Lands to sell merchandise and rent equipment at state parks and historic sites and deposit the money received into the State Parks Improvement Fund, a dedicated account to be used for the operations and maintenance of state parks.

Committee Amendment "A" (H-30)

This amendment specifies that the Department of Conservation, Bureau of Parks and Lands must comply with procurement provisions administered by the Department of Administrative and Financial Services, Bureau of General Services. It also adds an emergency preamble and clause and an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2009, Chapter 27 allows the Department of Conservation, Bureau of Parks and Lands to sell merchandise and rent equipment at state parks and historic sites and deposit the money received into the State Parks Improvement Fund, a dedicated account to be used for the operations and maintenance of state parks. The department is required to comply with procurement provisions administered by the Department of Administrative and Financial Services, Bureau of General Services.

Public Law 2009, chapter 27 was enacted as an emergency measure effective April 16, 2009.

LD 628 An Act To Allocate Prospective Federal Funding To Support Maine's Dairy Industry

Carried Over

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE MILLS P		

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill is a concept draft that proposes to allocate prospective federal funding to support the State's dairy industry. This bill was carried over to any special or regular session of the 124th Legislature pursuant to joint order, H.P. 1053.

LD 674 An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Agriculture, Conservation and Forestry **INDEF PP**

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

This bill deallocates Other Special Revenue Funds of \$109,866 in fiscal year 2009-10 and \$151,719 in fiscal year 2010-11 and eliminates 2 Public Service Coordinator I positions. It also includes General Fund deappropriations of \$82,238 in fiscal year 2009-10 and \$113,473 in fiscal year 2010-11 made possible by eliminating a Public Service Manager III position.

Committee Amendment "A" (S-71)

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. The amendment eliminates one instead of 2 Public Service Coordinator positions. The amendment corrects figures for the Public Service Manager III position.

LD 687 Resolve, To Authorize the Department of Conservation To Place Priority on Access to Certain Prominent Water Bodies under the Land for Maine's Future Fund **Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P		

This resolve requires the Department of Conservation to give priority under the Land for Maine's Future Fund to acquire, support and maintain public access to swift rivers and great ponds. Authority is granted to the department to use eminent domain, as necessary, to acquire and maintain access to key launching points on the Dead River and the Kennebec River. This bill was carried over to any special session or regular session of the 124th Legislature by joint order, H.P. 1053.

LD 692 Resolve, Directing the Commissioner of Agriculture, Food and Rural Resources To Develop Best Management Practices for Poultry Production **RESOLVE 63**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-127