

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 640

An Act To Recognize the Importance of Forestry

ONTP

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

LD 640 proposed enacting language to recognize that forest industry is of significant economic and social importance to the State.

LD 934

Resolve, To Direct the Department of Conservation, Bureau of Parks and Lands To Lease Certain Public Reserved Lands to the Town of Allagash

RESOLVE 173

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON BRYANT B	OTP-AM MAJ ONTP MIN	H-750 H-907 PIOTTI

LD 934 proposed authorizing the transfer of public lands to the Town of Allagash.

Committee Amendment "B" (H-750) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed authorizing the transfer of one public lot to the Town of Allagash.

House Amendment "A" to Committee Amendment "B" (H-907) proposed replacing the resolve, as amended by Committee Amendment "B," with a requirement that the Director of Parks and Lands lease the timber rights on 4 public reserved lots to the Town of Allagash.

Enacted law summary

Resolve 2005, chapter 173 requires the Director of Parks and Lands, with the approval of the Town of Allagash, to lease the timber rights on 4 public reserved lots in Allagash to the Town.

LD 1064

An Act To Clarify the Laws Governing Agricultural Composting Operations

PUBLIC 638

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK CARR	OTP-AM	

LD 1064 proposed enacting a definition of "agricultural composting" and clarifying that agricultural composting operations qualify for certain sales tax exemptions. It proposed specifically including work in connection with "agricultural composting" in the definition of "agricultural labor" as that term is used in Maine's unemployment compensation statutes.

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Committee Amendment "B" (S-563) proposed replacing the definition of "agricultural composting" found in the bill with definitions of "agricultural composting operation" and "composting." It proposed removing the provision that proposed excluding workers in the employ of an agricultural composting operation from the definition of employment in Maine's unemployment compensation statute. It proposed removing the retroactivity provision in the bill.

Enacted law summary

Public Law 2005, chapter 638 enacts definitions of "agricultural composting operation" and "composting" in the statutory provision that declares certain farm operations not to be a nuisance under Title 17, Chapter 91. It includes agricultural composting operations in the definition of "commercial agricultural production" under Title 36, section 2013, allowing these operations to qualify for certain sales tax exemptions.

LD 1406 **An Act To Preserve Public Access and Job Opportunities in the North Woods** **ONTP**

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

LD 1406 proposed creating the Maine Woods Act and establishing the Maine Woods Board as a public instrumentality of the State. The board's central duty would be to support sustainable forestry and provide public access and recreational opportunities through the acquisition and maintenance of forest lands. The board would have independent bonding authority to fund acquisitions, as proposed in this bill.

Committee Amendment "A" (S-440) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed changing the bill to a resolve directing the Commissioner of Conservation to develop recommendations for increasing access to capital for the purchase of forest land for the production of forest products and with continuing public access for recreation. The minority report was not adopted.

LD 1657 **An Act To Minimize the Risk to Maine's Marine Waters and Organisms Posed by the Application of Pesticides** **PUBLIC 553
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERCY	OTP-AM	H-885
DAMON		

LD 1657 proposed limits on the application of pesticides near the normal high tide mark for the control of browntail moths.

Committee Amendment "A" (H-885) proposed buffers and restrictions on the application of pesticides to control browntail moths in coastal areas of Cumberland, Sagadahoc and York counties. It proposed requiring the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to monitor certain pesticide applications, complete its assessment of risks and benefits of pesticide applications near coastal waters, and report

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to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by January 2, 2007.

Enacted law summary

Public Law 2005, chapter 553 establishes buffers and restrictions on the application of pesticides to control browntail moths in coastal areas of Cumberland, Sagadahoc and York counties. These provisions are repealed March 31, 2007. Chapter 553 directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to monitor certain pesticide applications, complete its assessment of risks and benefits of pesticide applications near coastal waters, and report to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by January 2, 2007. It authorizes the committee to report out legislation to the 123rd Legislature on pesticide applications in coastal areas.

Public Law 2005, chapter 553 was enacted as an emergency measure effective April 7, 2006.

LD 1720 **An Act To Make Revisions to the Maine Revised Statutes Relating to Agriculture** **PUBLIC 512**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-805
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LD 1720 proposed technical changes and clarifications to several sections in Title 7. It proposed repealing and amending other provisions to improve administration and enforcement by the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-805) proposed revising the number of days that apples must be kept under specified conditions to be represented as exposed to "controlled storage" and increasing the fine for violation of laws pertaining to the disposal of cull potatoes.

Enacted law summary

Public Law 2005, chapter 512, in addition to technical changes and corrections to Title 7, makes the following substantive changes:

1. It repeals the requirement that the Commissioner of Agriculture, Food and Rural Resources provide an opportunity for a hearing when the commissioner becomes cognizant of a violation of any provision in the Maine Revised Statutes, Title 7 or other statutes delegating responsibility to the commissioner or the department;
2. It amends a provision relating to farms purchased by the State for use by the Maine Agricultural Experiment Station to clarify that restrictions on use apply no matter when the farms were or are acquired;
3. It requires that annual reports by the county extension associations be sent to the University of Maine rather than its board of trustees;
4. It specifies that products sold at a farmers' market that are not grown or processed by the person selling the products must be purchased directly from another farmer who grew or processed the products;

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5. It enacts a provision for determining origin for products sold at a farmers' market to facilitate enforcement and revises an enforcement provision for determining origin of produce labeled "native";
6. It repeals the definition of the term "drug" and provisions in Title 7 relating to adulteration of drugs and meats. The Maine Pharmacy Act, enacted in 1988, Title 32, chapter 117, establishes the Maine Board of Pharmacy and charges the board with regulation of drugs. The Department of Agriculture, Food and Rural Resources is charged with administering and enforcing provisions pertaining to preparation of meat under Title 22, chapter 562-A;
7. It authorizes the commissioner to have analyses performed at public or private laboratories and repeals specific responsibilities of the Director of the Agricultural Experiment Station relating to analysis;
8. It clarifies ambiguous statutory provisions governing the sale of eggs;
9. It amends the definition of "product name" and uses the term "product name" to specify feed products to which a registration fee applies;
10. It revises the number of days that apples must be kept under specified conditions to be represented as exposed to "controlled storage" to reflect changes in technology and the industry standards; and
11. It increases the fine for violation of laws pertaining to the disposal of cull potatoes.

LD 1776

An Act To Establish the Maine Agricultural Water Management Board and the Sustainable Agricultural Water Source Program

**PUBLIC 559
EMERGENCY**

Sponsor(s)
WESTON

Committee Report
OTP-AM

Amendments Adopted
S-540

LD 1776 proposed establishment of the Maine Agricultural Water Management Board to develop, manage and regulate agricultural water source development and withdrawals in Maine. The bill proposed authorizing the board to establish a drought abatement program through rulemaking.

Committee Amendment "A" (S-540) proposed replacing the bill. It proposed establishment of the Maine Agricultural Water Management Board and the sustainable agricultural water source program. The amendment proposed specific responsibilities of the board, the Department of Agriculture, Food and Rural Resources and the Department of Environmental Protection.

Enacted law summary

Public Law 2005, chapter 559 establishes the Maine Agricultural Water Management Board and the sustainable agricultural water source program. The board's duties include overseeing and coordinating the development of water sources for agricultural use. The board is directed to work with the Department of Environmental Protection in fulfilling its duties. Chapter 559 establishes a process for the development of site specific flow standards and water levels for a water body used as source by agriculture and determination of compliance dates for agricultural users. Chapter 559 details the responsibilities of the board, the Department of Agriculture, Food and Rural Resources, and the Department of Environmental Protection in implementing the sustainable agricultural water source program.

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Public Law 2005, chapter 559 was enacted as an emergency measure effective April 10, 2006.

LD 1787 An Act Regarding Certain Easements across State Park Land ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	ONTP MAJ	
WEBSTER	OTP MIN	

LD 1787 proposed directing the Department of Conservation, Bureau of Parks and Lands to grant easements to allow underground utility services to be provided to homes adjacent to Wolfe's Neck Woods State Park.

**LD 1791 An Act To Increase the Number of Members on the Board of ONTP
Pesticides Control**

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

LD 1791 proposed adding 2 members to the Board of Pesticides Control, for a total of 9 members. The board currently has 2 members who are pesticides experts, one in agriculture and one in forestry. The bill proposed adding an expert in structural pest management and a member of the public representing a statewide business association. The bill proposed amending the qualifications of the 2 public members currently described as having a demonstrated interest in environmental protection to specify that these members have practical experience and knowledge in environmental protection.

**LD 1803 An Act To Create a Maine Agricultural Water Source ONTP
Development and Management Program**

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

LD 1803 proposed establishing an agricultural water source development and management program to ensure that agricultural producers have access to water for crop and livestock needs, especially during agricultural droughts. This bill also proposed to establish the Maine Agricultural Water Management Board. See bill summary for LD 1776.

LD 1841 An Act To Allow the Use of Fallen Apples in Apple Cider ONTP

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

LD 1841 proposed limiting the prohibition on using apples that have dropped from trees for pressing cider only to orchards where livestock or poultry are present.

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LD 1853 **Resolve, Directing the Department of Agriculture, Food and Rural Resources to Conduct Outreach Activities Pertaining to Animal Identification** **RESOLVE 198**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM MAJ OTP-AM MIN	H-918 H-988 PIOTTI

LD 1853 proposed directing the Commissioner of Agriculture, Food and Rural Resources to establish the Maine Animal Identification Program by rule and required that the program be consistent with the federal system.

Committee Amendment "B" (H-918) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed replacing the bill with a resolve directing the Commissioner of Agriculture, Food and Rural Resources to conduct outreach activities to inform members of the agricultural community and the general public about initiatives at the federal and state levels to require animal identification. It proposed requiring the commissioner to report to the joint standing committee of the Legislature having jurisdiction over agriculture matters by January 15, 2007 on meetings held and the status of federal initiatives.

Committee Amendment "C" (H-919) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed requiring the Commissioner of Agriculture, Food and Rural Resources to develop an animal identification program and requires rulemaking to establish a system for registering premises where livestock and poultry are kept and for the identification of individual animals and lots of animals. It specified certain elements to be included in the rules.

It also proposed directing the Commissioner of Agriculture, Food and Rural Resources to conduct outreach and to report to the joint standing committee of the Legislature having jurisdiction over agriculture matters by January 15, 2007 on meetings held and the status of federal initiatives.

House Amendment "A" to Committee Amendment "B" (H-988) proposed authorizing the Commissioner of Agriculture, Food and Rural Resources to adopt rules pertaining to animal identification and registration if the United States Department of Agriculture or any other federal agency takes action prior to January 1, 2007 to require registration of premises where livestock or poultry is kept or identification of livestock or poultry.

Enacted law summary

Resolves 2005, chapter 198 directs the Commissioner of Agriculture, Food and Rural Resources to conduct outreach activities to inform members of the agricultural community and the general public about initiatives at the federal and state levels to require animal identification. Meetings must allow time for public comment. The commissioner is required to report to the joint standing committee of the Legislature having jurisdiction over agriculture matters by January 15, 2007 on meetings held and the status of federal initiatives.

It authorizes the Commissioner of Agriculture, Food and Rural Resources to adopt rules pertaining to animal identification and registration if the United States Department of Agriculture or any other federal agency takes action prior to January 1, 2007 to require registration of premises where livestock or poultry is kept or identification of livestock or poultry and designates these rules as major substantive rules.

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LD 1863

An Act To Permit Supplemental Environmental Projects for Forest Practices Violations

PUBLIC 514

<u>Sponsor(s)</u> FLOOD		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-804
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LD 1863 proposed allowing the Department of Conservation Bureau of Forestry to incorporate a supplemental environmental project into the settlement of a civil enforcement action for any violation of the provisions of the forest practices laws administered by the bureau.

Committee Amendment "A" (H-804) proposed repealing an obsolete effective date for violation provisions and clarifying that the provisions for supplemental environmental projects apply only to violations of the forest practices laws in the Maine Revised Statutes, Title 12, chapter 805, subchapter 3-A.

Enacted law summary

Public Law 2005, chapter 514 allows the Department of Conservation, Bureau of Forestry to incorporate a supplemental environmental project into the settlement of a civil enforcement action for a violation of the forest practices laws administered by the bureau. A "supplemental environmental project" is a project that benefits the public health or the environment and that a violator is not otherwise required or likely to perform.

LD 1872

An Act To Provide Forest Certification Cost-share Incentives to Forest Landowners and Licensed Foresters

PUBLIC 513

<u>Sponsor(s)</u> PIOTTI		<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN		<u>Amendments Adopted</u> H-798
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LD 1872 proposed amending the laws governing the certified forest resource manager grant fund in the Department of Conservation, Bureau of Forestry to establish a forest certification incentive cost-share fund.

Committee Amendment "A" (H-798) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed expanding the eligibility criteria for reimbursement from the forest certification incentive cost-share fund to include a group of landowners who collectively receive certification. It also proposed allowing the fund to be used for recertification.

Committee Amendment "B" (H-799) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. Like the majority report, it proposed expanding the eligibility criteria for reimbursement from the forest certification incentive cost-share fund. In addition, to qualify for reimbursement from the fund, the minority report proposed requiring a landowner or group of landowners to submit a statement verifying that management of the certified land addresses each of 7 areas. The minority report was not adopted.

Enacted law summary

Public Law 2005, chapter 513 amends the laws governing the certified forest resource manager grant fund in the Department of Conservation, Bureau of Forestry to establish a forest certification incentive cost-share fund. Owners of 1,000 acres or less of forest land and groups of landowners as well as certified resource managers are

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eligible for reimbursement from the fund. The fund may also be used as reimbursement for recertification costs. It limits the amount of reimbursement received by a group of landowners based on the number of landowners at or below the 1,000-acre ownership threshold.

LD 1881

An Act Amending the Animal Welfare Laws

PUBLIC 510

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM MAJ ONTP MIN	H-774

LD 1881 proposed several amendments to the animal welfare laws. It proposed definitions for "companion livestock." It proposed amending the definitions for "animal shelter," "breeding kennel," "companion animal" and "foster home". It proposed repealing the surcharge currently assessed for unneutered cats and dogs sold by a breeding kennel; enacting a civil violation and a crime of endangering the welfare of a companion animal or companion livestock; and amending the domestic relations laws to authorize judges to write protection from abuse orders to protect both companion animals and companion livestock.

Committee Amendment "A" (H-774) is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed changes to the definitions of "animal shelter" and "breeding kennel." It proposed deleting sections of the bill amending the definition of "companion animal" and enacting a definition for "companion livestock." It repeals the definition of "foster home," a term that is not used in the animal welfare statutes. It proposed removing the provisions establishing civil and criminal violations of endangerment. It proposed specifying that a violation of a protection from abuse order that directs the care or custody of an animal is contempt.

Enacted law summary

Public Law 2005, chapter 510 amends the definitions of "animal shelter" and "breeding kennel" used in the animal welfare laws. It repeals the surcharge currently assessed for unneutered cats and dogs sold by a breeding kennel. It specifically authorizes judges to include directives for the care, custody and control of animals when writing protection from abuse orders and designates a violation of such a protection order as contempt.

LD 1890

An Act To Make Revisions to the Laws Governing Pesticide Control

PUBLIC 620

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM A OTP-AM B OTP-AM C	S-642

LD 1890 proposed changes to the laws governing pesticides to make the laws read more clearly and to update language. This bill also proposed substantive changes. It proposed repealing the Maine Revised Statutes, Title 7, section 607-A, which requires the Board of Pesticides Control to undertake a risk assessment for all pesticides used in the State. It proposed modifying statutory provisions for registering, canceling or suspending registrations to make the language consistent with the board's actual practices. The bill proposed designating in statute that

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rules adopted by the Board of Pesticides Control are routine technical rules. The board's rulemaking authority predates January 1, 1996 and rules had not been categorized as either routine technical or major substantive.

Committee Amendment "A" (H-860) proposed the report of 6 members of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed revising instead of repealing provisions for pesticides reviews. It directs the board to conduct a minimum of 2 reviews a year. It allows the board to determine the review process and clarifies that the board cannot refuse to renew a registration based solely on its inability to conduct a review. It requires the board to conduct a water residue survey at least once every 6 years.

Committee Amendment "B" (H-861) proposed the report of 5 members of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed revising statutory provisions for pesticides review identical to those proposed in Committee Amendment "A." It proposed designating rules relating to the application of pesticides as major substantive rules.

Committee Amendment "C" (H-862) proposed the report of 2 members of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed revising statutory provisions for pesticides review identical to those proposed in Committee Amendment "A." It proposed designating rules relating to the application of pesticides and proposed for adoption after the effective date of this legislation as major substantive rules and amendments to these rules as routine technical rules.

Committee Amendment "A" (S-642) proposed the committee of conference amendment. It proposed changes to provisions for pesticides reviews identical to those proposed in all 3 committee reports. (H-860, H-861, H-862). The conference committee amendment proposed requiring the Board of Pesticides Control to submit its regulatory agenda each year by January 15th and the legislative committee of jurisdiction to review the agenda by February 15th. It proposed authorizing the legislative committee of jurisdiction to report out legislation designating any rule on the agenda as a major substantive rule.

Enacted law summary

Public Law 2005, chapter 620, amends the laws governing pesticides. Many of the changes are technical or organizational changes to make the laws read more clearly or to update language. Chapter 620 amends statutory provisions for registering, canceling or suspending registrations to make the language consistent with the board's actual practices. It revises provisions for pesticides reviews by the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control under the Maine Revised Statutes, Title 7, section 607-A. It directs the board to conduct a minimum of 2 reviews a year. It allows the board to determine the review process and clarifies that the board cannot refuse to renew a registration based solely on its inability to conduct a review. It requires the board to conduct a water residue survey at least once every 6 years.

Chapter 620 designates rules adopted by the Board of Pesticides Control as routine technical rules. The board's rulemaking authority predates January 1, 1996 and rules had not been categorized as either routine technical or major substantive. It requires the Board of Pesticides Control to submit its regulatory agenda each year by January 15th. The legislative committee of jurisdiction is required to review the agenda by February 15th and is authorized to report out legislation designating any rule on the agenda as a major substantive rule.

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LD 1985

An Act To Make Revisions to the Maine Revised Statutes Relating to Agricultural Fairs

PUBLIC 563

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-825 H-928 PIOTTI

LD 1985 proposed repealing the Maine Revised Statutes, Title 7, chapter 3, "County and Local Societies," and replacing it with chapter 4, "Agricultural Fairs and Pulling Events." It proposed definitions, removing obsolete provisions and restructures provisions for clarity. It proposed revisions to update and facilitate the administration and enforcement of laws governing agricultural fairs and pulling events.

Committee Amendment "A" (H-825) proposed minor language changes for clarity, correcting a cross-reference, and revising a provision relating to premiums paid on male animals.

House Amendment "A" (H-928) proposed a correction to the definition and use of the term "event." This amendment also proposed allowing 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. (See the bill summary for LD 2042. LD 2042 proposed the same language as this amendment and was enacted as emergency legislation)

Enacted law summary

Public Law 2005, chapter 563 repeals the Maine Revised Statutes, Title 7, chapter 3, "County and Local Societies," and replaces it with chapter 4, "Agricultural Fairs and Pulling Events." It enacts definitions for this chapter and deletes provisions relating to the Maine State Pomological Society and poultry associations. It establishes the Fair Fund and clarifies provisions for deposit into and distribution from the fund. It requires a fair to be licensed to be eligible to receive a distribution from the Stipend Fund or the Fair Fund. It removes language relating to the licensing of exhibitions that are not agricultural fairs. It amends the provision for requesting a change in fair dates to require a petition to be received a minimum of 90 days prior to the first assigned date. It allows premiums paid on pony pulling and tractor and truck pulling to be included when determining distribution from the Stipend Fund or the Fair Fund. It revises a provision relating to premiums paid on male animals, making a fair licensee ineligible for a stipend if that licensee offers or pays premiums on unaltered male animals over 6 months of age that are not recorded in the books of record for their breed. It restructures and updates other provisions regarding the licensing of agricultural fairs and distribution of funds to the fairs. It restructures and makes technical changes to the laws governing animal pulling events.

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LD 2015

**Resolve, Authorizing Certain Land Transactions by the
Department of Conservation, Bureau of Parks and Lands**

RESOLVE 197

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TARDY	OTP-AM A	H-1000 TRAHAN
NUTTING J	OTP-AM B	H-991
	ONTP C	S-612 MARTIN

LD 2015 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain property owned by the State and located in Aroostook, Cumberland, Franklin, Penobscot, Piscataquis and Washington counties.

Committee Amendment "A" (H-991) proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed removing sections 1 to 8 from the resolve. The transactions proposed for authorization in Sections 2 through 8 of the bill were included in a separate committee bill. (See the bill summary for LD 2095) Section 1 of the original bill proposed authorizing the sale of 6 lots in Frenchtown, Township A, Range 13 WELS in Piscataquis County to persons who are not members of the First Roach Pond Leaseholders Coalition. This authorization was removed from LD 2015 and was not passed in any other legislation this session.

Committee Amendment "A" proposed retaining only Section 9 in the original bill, authorizing transfer of public lots in Aroostook, Franklin, Penobscot and Washington Counties. The proposal to transfer these public lots was part of a project referred to as the "Katahdin Lake Project" with the goal of acquiring land around Katahdin Lake for inclusion in Baxter State Park.

The committee amendment proposed excluding the eastern 143 acres in the Wyman Lot from the parcel in Franklin County authorized for transfer. It proposed making transfer of the public lots contingent on certain other transactions, actions and assurances. It proposed certain actions by the Department of Conservation relating to public access for recreation in the Katahdin Region.

Committee Amendment "B" (H-992) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed removing sections 1 to 8 from the resolve. It proposed excluding the eastern 143 acres in the Wyman Lot from the parcel authorized for transfer. It did not propose additional contingencies or actions relating to ultimate ownership of land around and in the vicinity of Katahdin Lake or to recreational uses in the Katahdin Region.

House Amendment "A" to Committee Amendment "A" (H-1000) proposed requiring that the proceeds of the sale of land authorized in the Resolve be used by the Land for Maine's Future Board to purchase land that is of similar in value to the parcels conveyed by the State.

Senate Amendment "A" to Committee Amendment "A" (S-612) proposed requiring that for a limited time period the Township of Glenwood Plantation and the Town of LaGrange transmit an amount equal to the property tax collected on the former public lots within their boundaries to the Treasurer of State for deposit into the Organized Townships Fund to be expended in accordance with the purposes of the fund under the Maine Revised Statutes, Title 12, section 1854.

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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 4th 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

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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

Joint Standing Committee on Agriculture, Conservation and Forestry

having jurisdiction over agriculture, conservation and forestry matters by January 15, 2007 on proposed changes to the 1999 plan and authorizing the committee to report out legislation. The amendment also proposed a 15-member commission to study the design for a replacement of the existing Henderson Brook Bridge within the Allagash Wilderness Waterway.

Enacted law summary

Public Law 2005, chapter 598 establishes in statute the locations of motor vehicle access points to the Allagash Wilderness Waterway, requires that there be 19 snowmobile access points to the watercourse and lists the 6 permanent watercourse crossings in the waterway. Chapter 598 prohibits any future construction of bridges at the sites of the former Bissonette Bridge and Schedule Brook Bridge. The Department of Conservation, Bureau of Parks and Lands is directed to identify any person claiming to have the right to construct or maintain a bridge at points within the waterway other than those specified in statute and to make all efforts to acquire those rights on behalf of the State, at which time those rights would be extinguished.

Chapter 598 includes legislative findings of fact that the Henderson Brook Bridge is a vital link to the Town of Allagash and the surrounding areas, providing access for timber harvesting operations, enhancing employment for the residents of the region and providing recreational activities. It directs the Bureau of Parks and Lands to submit its proposed amendments to the 1999 Allagash Wilderness Waterway management plan to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by January 15, 2007 for review. The bureau may proceed with improvements proposed in the plan that were begun prior to the effective date of this Act, but may not begin any other improvements proposed in the plan until the committee completes its review. Following its review of the plan, the committee is authorized to report out a bill on any matter relating to the management of the Allagash Wilderness Waterway.

Chapter 598 also creates a 15-member commission to study the design for a replacement of the existing Henderson Brook Bridge within the Allagash Wilderness Waterway. The commission is required to submit a preliminary report to the Joint Standing Committee on Agriculture, Conservation and Forestry by November 1, 2006 and to submit its final report by January 15, 2007.

LD 2081

An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Seed Potato Board

P & S 67

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 2081 proposed appropriating \$30,000 to the Seed Potato Board for equipment needed at the Porter Seed Farm in Masardis. This bill originated in the Joint Standing Committee on Agriculture, Conservation and Forestry. It was referred to the Joint Standing Committee on Appropriations and Financial Affairs.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 2095 **Resolve, Authorizing the Department of Conservation, Bureau of Parks and Lands To Convey Certain Lands** **RESOLVE 193**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP		H-967 PIOTTI

LD 2095 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain properties.

House Amendment "A" (H-967) proposed clarifying who will be receiving the right-of-way easement in Brownville.

Enacted law summary

Resolve 2005, chapter 193 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey certain properties. The transactions authorized were originally included in LD 2015. Several relate to properties abutting recreational trails.

LD 2107 **An Act To Establish a Food Policy for Maine** **PUBLIC 614**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP		S-629 NUTTING J

LD 2107 proposed establishing the Maine Food Policy Council and charging the council with developing and implementing a strategic plan to support a food supply system for Maine. This bill was submitted by the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Public Law 2005, chapter 382, Part C, section 6.

Senate Amendment "B" (S-629) proposed changing the memberships of the council to have 4 Legislators serve on the Maine Food Policy Council during its initial year only.

Enacted law summary

Public Law 2005, chapter 614 establishes the Maine Food Policy Council and charges the council with developing and implementing a strategic plan to support a food supply system for Maine. The council is directed to build on the report of the food policy working group convened by the Commissioner of Agriculture, Food and Rural Resources in 2005. It also moves 2 sections in the Maine Revised Statutes, Title 7 relating to food policy into the new subchapter on food policy.

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