

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

Joint Standing Committee on Agriculture

LD 94 **An Act to Impose a Fine on Owners of Dogs That Disturb the Peace** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TARDY ONTP

SUMMARY

This bill would have created a penalty for owners of dogs that create a nuisance.

LD 113 **An Act to Create a Program to Promote the Purchase of State-grown Produce by Needy Persons** PUBLIC 58
EMERGENCY

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TARDY OTP-AM H-86

SUMMARY

This bill directs the Department of Agriculture, Food and Rural Resources to develop a program to promote the purchase of state-grown and processed food products at local farmers' markets by needy persons.

The committee amendment (H-86) expands the program to purchases at farmstands, which the department will include if federal food assistance programs, such as the federal nutrition program for women, infants and children, authorize the expenditure of federal assistance at farmstands. The department will adopt rules determining which markets and farmstands are eligible for the program.

LD 195 **An Act to Increase the Penalty for Abuse of Animals** PUBLIC 81

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
HANLEY OTP-AM S-56

SUMMARY

This bill increases the maximum fine for violation of the civil cruelty to animals law from \$500 to \$1,000.

The committee amendment (S-56) retains this increase and requires courts to impose a minimum fine of \$100 for violation of the civil or criminal animal cruelty laws.

LD 215 **An Act to Protect Animal Enterprises** PUBLIC 83

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TARDY OTP-AM H-119

SUMMARY

This bill creates a Class E crime called "animal enterprise terrorism." A person is guilty of this crime if the person intentionally causes physical disruption to an animal enterprise by stealing, damaging or causing the loss of property, including animals or records, and thereby causes economic damage to the enterprise. Animal enterprise is defined to include commercial and academic research, zoos and other

exhibitions, and agricultural fairs. The bill permits the court to order restitution of up to 3 times the economic damage.

The committee amendment (H-119) adds a fiscal note and correctional impact statement to the bill.

LD 218 An Act to Exempt Certain Greenhouse and Nursery Owners PUBLIC 256
from Licensing Fees

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KETTERER	OTP-AM	H-209 H-238 CHONKO H-361 TARDY

SUMMARY

Under current law, nursery owners who have a greenhouse, a retail sales area in excess of 150 square feet or gross sales of nursery stock in excess of \$500 pay an annual license fee of \$25. The bill exempts from this fee owners of greenhouses associated with educational institutions and requires the fee only when the sales area for nursery stock, not the total sales area, is over 150 square feet.

The committee amendment (H-209) replaces the bill. It provides that educational institutions are exempt from the greenhouse and nursery license fee and provides a 2-tier fee structure for all other licensees. The amendment also adds a fiscal note.

House Amendment "A" (H-238) replaces the fiscal note.

House Amendment "B" (H-361) corrects a technical error in the committee amendment.

LD 343 An Act to Define Farmers' Market PUBLIC 138
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KILKELLY	OTP-AM	H-168

SUMMARY

This bill requires that a person who sells farm produce at a market labeled "farmers' market" sell primarily produce grown by that person.

The committee amendment (H-168) replaces the bill. It defines farmers' market as a place where 2 or more farmers sell farm and food products directly to consumers, and where at least 75% of the product sold by each participant in the market is grown or processed by that farmer or under that farmer's direction, and the remaining portion is purchased directly from another farmer. Advertising a market that does not meet the definition in this bill, or selling at a market in violation of the terms of the bill would be a civil violation. The amendment also adds an emergency clause and emergency preamble.

LD 378 An Act to Improve Milk Quality ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TARDY	ONTP	