

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

SUMMARY

This bill would have required containers of milk and cream to bear a "quality assurance date," which would have established the last day on which the milk or cream could be offered for sale. For most products, the date would not have been more than 14 days from the day of pasteurization, but some quality assurance dates could have been more than 14 days after pasteurization if the product met certain standards and the dairy followed certain procedures.

LD 414 An Act to Permit Animal Shelters to Administer Rabies Vaccine ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
JONES ONTP

SUMMARY

This bill would have allowed a person who has successfully completed instruction approved by the Department of Agriculture, Food and Rural Resources to vaccinate dogs and cats that are residents in an animal shelter. The department would have been required to make that instruction available upon application at a cost not to exceed \$15.

LD 419 An Act to More Fully Regulate the Sale of Pets ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
TARDY ONTP

SUMMARY

This bill would have required the Department of Agriculture, Food and Rural Resources to regulate the ownership, sale and maintenance of reptiles and amphibians. The bill would also have removed these animals from the requirements for a permit for importation, breeding or display by the Department of Inland Fisheries and Wildlife.

LD 420 An Act to Require Licensing of Cats ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
HALE ONTP

SUMMARY

This bill would have established a system of licensing cats that is modeled after the State's dog licensing laws. Cats capable of producing young would have been licensed for a \$2.50 annual fee and cats incapable of producing young would have been licensed for a \$1 annual fee. Municipalities would have been allowed to keep half of the licensing fee for cats incapable of producing young.

LD 483 An Act to Ensure Uniformity in Gasoline Octane Levels INDEF PP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
MARDEN OTP-AM S-145

SUMMARY

This bill would have specifically authorized the State Sealer of Weights and Measures to conduct tests of gasoline offered for sale for consistency with the stated octane level.

The committee amendment (S-145) would have required the Department of Agriculture, Food and Rural Resources to conduct a pilot program to test gasoline to determine whether it contains the octane level that is posted or certified. The pilot program would have been funded by the Highway Fund.

LD 494 An Act to Continue the Maine Dairy Farm Stabilization Act PUBLIC 104

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TARDY	OTP-AM	H-169

SUMMARY

This bill continues the Maine Dairy Farm Stabilization Act, which under current law would be repealed on November 7, 1993. The Act imposes an excise tax on the handling of packaged milk for sale in the State. The rate of the tax changes in relation to the Class I price of milk established by the Maine Milk Commission and increases proportionately as the producer price of milk falls. 94% of the tax is returned to dairy farmers on the basis of milk production and 4% goes to supplement the Women, Infants and Children's Special Supplemental food program of the United States Child Nutrition Act of 1966 (WIC).

The committee amendment (H-169) repeals the sunset on a provision requiring that minimum milk prices set by the Maine Milk Commission become effective on the first Sunday of the calendar month. (Note: LD 806 further amends this section to provide that prices become effective on the Sunday closest to the first day of the month.) The amendment also adds an allocation section and a fiscal note.

LD 499 An Act to Clarify the Process of Resolving Nuisance PUBLIC 124
Complaints Involving Agriculture and to Protect Farm EMERGENCY
Operations

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SPEAR	OTP-AM	H-187 H-205 KONTOS

SUMMARY

This bill harmonizes the 3 laws that deal with the investigation of complaints regarding agricultural practices. The law regarding insect infestations is repealed. Its unique provisions are incorporated into the section dealing with all agricultural practices. The standard found in the insect infestation law, "generally accepted agricultural practices," is dropped in favor of the more current standard of "best management practices." Finally, the law regarding the investigation of complaints of improper manure handling is amended to make certain procedural clarifications including the deletion of the requirement that formal hearings precede any action taken under the law.

The committee amendment (H-187) provides that the use of best management practices by a farm or farm operation may not be considered a violation of a municipal ordinance. This does not prohibit a municipality from determining where farms may be located, but once a farm is legally located, a municipal ordinance may not restrict the farm's use of best management practices. The Department of Agriculture, Food and Rural Resources determines what constitutes best management practices. The amendment also adds an emergency preamble and clause and changes language to create more uniform terminology in the nuisance laws related to agriculture.

House Amendment "A" (H-205) makes a technical correction.