

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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>Bill carried over to Second Regular Session</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>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 429 proposed clarifying the procedures the Department of Agriculture, Food and Rural resources may implement to protect the Maine potato industry from the spread of diseases from potato cull piles and from the importation of diseased potatoes. It also proposed increasing the penalties for planting noncertified seed potatoes.

Committee Amendment "A" (S-241) proposed removing the section of the bill that proposed changing the penalty for planting noncertified seed. This amendment also proposed adding a fiscal note to the bill.

House Amendment "A" (H-741) proposed a change in punctuation to clarify when a search warrant is necessary.

Enacted law summary

Public Law 1997, chapter 538 clarifies the procedures the Department of Agriculture, Food and Rural resources is authorized to implement to protect the Maine potato industry from the spread of diseases from potato cull piles and from the importation of diseased potatoes. The effective date is June 12, 1997.

LD 447 **An Act Regarding Disclosure of Pesticide Use to a Buyer of Blueberry Land** **ONTP**

<u>Sponsor(s)</u> PERKINS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 427 proposed requiring a seller of blueberry land to disclose to the prospective buyer any use of pesticides on the land of which the seller has knowledge. It proposed allowing a buyer to rescind the land sale contract, or after delivery of the deed, to recover damages if the seller had failed to disclose known pesticides use.

LD 460 **An Act to Repeal the Laws That Pertain to the Licensing of Dogs** **ONTP**

<u>Sponsor(s)</u> PERKINS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 460 proposed repealing State laws requiring the licensing of dogs.

LD 461 **An Act to Include Domestic Water Fowl in the Animal Trespass Statutes** **PUBLIC 104**

<u>Sponsor(s)</u> PENDLETON R		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-113
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LD 461 proposed including domestic water fowl such as ducks and geese in the animal trespass laws.

Committee Amendment "A" (H-113) proposed clarifying the definition of domestic waterfowl and adding a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 104 makes the animal trespass laws applicable to domestic water fowl. The owner or keeper of domestic water fowl is responsible for removing them from the property of another person upon notification by an animal control or law enforcement officer. Failure to do so is a civil violation and subject to a fine of not more than \$500.

LD 514 An Act to Provide Limited Voting Authority for Associate Supervisors of Maine's Soil and Water Conservation Districts PUBLIC 105

<u>Sponsor(s)</u> SPEAR NUTTING	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-112
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LD 514 proposed allowing the supervisors of a soil and water conservation district to appoint associate supervisors and to authorize an associate supervisor to vote in place of an absent supervisor.

Committee Amendment "A" (H-112) proposed language changes to clarify that an associate supervisor could be granted voting authority only when a quorum was lacking at a regularly scheduled meeting.

Enacted law summary

Public Law 1997, chapter 105 allows the supervisors of a soil and water conservation district to appoint associate supervisors and to authorize an associate supervisor to vote in place of an absent supervisor when a quorum is lacking at a regularly scheduled meeting.

LD 575 An Act to Label All Eggs Produced in the State by Source DIED BETWEEN BODIES

<u>Sponsor(s)</u> BERRY R	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u>
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LD 575 proposed requiring all eggs to be labeled with the name of the producer.

Committee Amendment "A" (H-264) was proposed the majority report of the committee. It proposed requiring all eggs to be labeled with the name of the company that packed the eggs rather than the producer. It also proposed adding a fiscal note to the bill. This amendment was adopted by the House and Senate but the bill failed enactment in the Senate.