

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE, CONSERVATION AND FORESTRY

MAY 1998

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Sen. R. Leo Kieffer

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

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

LD 2236 provided for legislative review of Chapter 501: Exemptions to Fire Bans and Permit Requirements for Outdoor Fireplaces and Grills, a major substantive rule of the Department of Conservation.

Enacted law summary

Resolve 1997, chapter 101 gives legislative approval to major substantive rules provisionally adopted by the Department of Conservation regarding exemption to fire bans and permit requirements for outdoor fireplaces and grills. Chapter 101 was enacted as an emergency measure effective March 30, 1998.

LD 2254 **Resolve, Authorizing Certain Land Transactions by the Bureau of Parks and Lands** **RESOLVE 102**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER KILKELLY	OTP-AM	H-969

LD 2254 proposed authorizing 2 land transactions by the Director of the Bureau of Parks and Lands within the Department of Conservation.

Committee Amendment "A" (H-969) proposed adding an allocation section and a fiscal note to the resolve.

Enacted law summary

Resolve 1997, chapter 102 authorizes 2 land transactions by the Director of the Bureau of Parks and Lands within the Department of Conservation. It authorizes the sale of the State's fee interest in land in Cortez, Montezuma County, Colorado conveyed to the State in 1969 through the will of Percival Proctor Baxter. It requires that proceeds from sale of the Colorado property be invested in the Mackworth Island Trust. It authorizes the Bureau of Parks and Lands to use income and principal from the trust to manage property under the bureau's care on Mackworth Island in Falmouth, Maine.

It authorizes an exchange of the State's interest in land and other consideration for lands now owned by Huber Resources Corporation. The exchange allows the Bureau of Parks and Lands to convey common and undivided interest in approximately 3,058 acres in 3 townships in northern Maine and acquire approximately 2,491 acres. Of the 2,491 acres to be acquired by the State, 2,474 acres are adjacent to the Bigelow Preserve, an existing Public Reserved Lands Unit.

LD 2264 **An Act to Promote and Encourage the Cultivation of Cranberries in the State** **P & S 93**

<u>Sponsor(s)</u> BUNKER KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-1006
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LD 2264 proposed to promote the cultivation of cranberries in the State specifically authorizing an integrated pest management program for cranberries. The bill proposed an appropriation of \$80,000 to the Integrated Pest Management Fund for a University of Maine Cooperative Extension integrated pest management program.

Committee Amendment "A" (H-1006) proposed appropriating \$50,000 directly to the University of Maine Cooperative Extension Service for an integrated pest management program for cranberries.

Enacted law summary

Private & Special Law 1997, chapter 93 appropriates \$50,000 directly to the University of Maine Cooperative Extension Service for an integrated pest management program for cranberries.

LD 2273 An Act to Amend the Animal Welfare Laws PUBLIC 690

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u> S-567 KILKELLY
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LD 2273 proposed clarifications and technical changes and corrects cross-references in the animal welfare laws. In addition, it proposed several substantive changes in the animal welfare laws. This bill was reported by the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Public Law 1997, chapter 456, section 21.

Senate Amendment "A" (S-567) proposed reinstating language that gives a veterinarian the ability to authorize immediate euthanasia if there is no possibility of recovery for a severely sick or injured animal and language granting a veterinarian immunity from civil liability for performing an immediate euthanasia under those circumstances.

Enacted law summary

Public Law 1997, chapter 690 makes technical changes and corrects cross references in the animal welfare laws. It addition it makes the several substantive changes to the animal welfare laws. It amends the definition of breeding kennel to include cats. It allows an animal control officer to take a dog running-at-large to an animal shelter when the owner is known if the dog has been found running-at-large 3 or more times in a 6-month period. The animal control officer is required to notify the owner within 24 hours of taking the dog to an animal shelter. It amends certain provisions pertaining to euthanasia. It increases fines for violations pertaining to controlling dogs. It removes the requirement that a dog wear a rabies tag. It clarifies the provisions for inspecting facilities. It allows an animal shelter to charge a fee of \$1 for issuing a temporary license. It removes the requirement that notices of violations of licensing provisions be sent by certified mail, return receipt requested. It includes an assault against a domesticated animal as well as an assault against a person in the provisions pertaining to dangerous dogs. It repeals provisions in the statutes regarding ferrets. It increases from 6 hours to 12 hours the time a person has to remove an animal in violation of the trespass law. It allows a court to order restitution to a person whose property is damaged by a trespassing animal. It amends the definition of "pet dealer" and certain provisions relating to the sale of dogs and cats.