

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

July 2003

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Richard Kneeland
Sen. Edward M. Youngblood*

*Rep. Linda Rogers McKee, Chair
Rep. Jacqueline A. Lundeen
Rep. Raymond G. Pineau
Rep. John F. Piotti
Rep. Nancy E. Smith
Rep. Roderick W. Carr
Rep. Ken Honey
Rep. Kenneth C. Fletcher
Rep. Eugene L. Churchill
Rep. John Eder*

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. 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 considered by the committees. It is arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 181

An Act to Clarify the Definition of Livestock

PUBLIC 334

<u>Sponsor(s)</u> TRAHAN HALL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-377
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LD 181 proposed to expand the definition of livestock within the jurisdiction of the Department of Agriculture, Food and Rural Resources to include alpacas, bison, llamas, ostriches and exotic wildlife raised on farms.

Committee Amendment "A" (H-377) proposed to replace a term and specifically include other animals in the definition of "livestock" in the animal welfare laws and the laws pertaining to livestock dealers.

Enacted Law Summary

Public Law 2003, chapter 334 amends the definition of livestock within the jurisdiction of the Department of Agriculture, Food and Rural Resources to include bison, ratites, which include ostriches and emus, and members of the genus lama, which includes llamas and alpacas.

LD 245

An Act To Promote Consistent Protection of the State's Waters

PUBLIC 335

<u>Sponsor(s)</u> PINEAU MARTIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-378
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LD 245 proposed to require landowners owning more than 10,000 acres of forest land to prepare and implement a plan to protect water resources from the impacts of timber harvesting. It proposed stipulating that such a plan would be a public record and requiring the Department of Conservation, Director of the Bureau of Forestry to include in the biennial state of the forest report a summary of progress in developing and implementing the plans.

Committee Amendment "A" (H-378) proposed replacing the bill and authorizing the Department of Conservation to proceed with rulemaking to implement a statewide standard for timber harvesting and timber harvesting activities in shoreland areas.

Enacted Law Summary

Public Law 2003, chapter 335 authorizes the Department of Conservation to proceed with rulemaking to implement a statewide standard for timber harvesting and timber harvesting activities in shoreland areas. It allows a municipality to retain a municipal ordinance pertaining to timber harvesting and timber harvesting activities in shoreland areas if the ordinance is consistent with laws and rules in effect December 31, 2005. The statewide standards must be adopted by October 1, 2003 with a delayed effective date of January 1, 2006. The Maine Land Use Regulation Commission, the Commissioner of Environmental Protection and the Board of Environmental Protection are directed to amend or repeal their rules as necessary to remove any provisions that duplicate or conflict with the statewide standards. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation necessary to implement the statewide standard for timber

harvesting in shoreland areas or clarify the responsibilities of the Bureau of Forestry in administering and enforcing the standard.

LD 248 An Act To Amend the Laws Governing the Weighing of Wood ONTP

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

LD 248 proposed amending the wood measurement laws to compensate for weight loss in wood that was not weighed within 30 days of cutting during the summer months.

LD 297 An Act to Provide for Proper Identification of Stray Cats by Animal Shelters ONTP

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

LD 297 proposed deleting the current requirement for microchip identification of a stray cat accepted at an animal shelter only when the cat was wearing a collar or had a notched or studded ear. It proposed microchip scanning of all stray cats accepted by shelters.

LD 300 An Act To Ban the Hunting of Animals in an Enclosed Area ONTP

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

LD 300 proposed repealing provisions for the establishment and operation of commercial large game shooting areas. It also proposed removing the exemption in the animal cruelty laws for persons operating or hunting such areas, thus making it a Class D crime to operate or hunt in a large game shooting area.

LD 315 An Act To Provide a Discount to Farmers Who Are Certified as Organic Farmers and Lease Land from the State ONTP

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

LD 315 proposed providing a discounted lease fee for farmland acquired under the Land for Maine's Future program and leased for agricultural production when the lessee attained organic certification.