

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Agriculture, Conservation and Forestry*

*May 2004*

**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. Eugene L. Churchill  
Rep. Kenneth C. Fletcher*

*Rep. John Eder*

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*Maine State Legislature*



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

*121st Maine Legislature  
Second Regular Session and  
Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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*
- NOT PROPERLY BEFORE THE BODY ..... Ruled out of order by the presiding officers; bill died*
- INDEF PP ..... Bill Indefinitely Postponed*
- ONTP..... Ought Not To Pass report accepted*
- OTP-ND ..... Committee report Ought To Pass In New Draft*
- P&S XXX..... Chapter # of enacted Private & Special Law*
- PASSED..... Joint Order passed in both bodies*
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**LD 338**

**An Act to Stabilize the Maine Dairy Industry**

**ONTP**

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

LD 338 proposed establishing a program of direct subsidy payments to the State's dairy farmers through the Maine Milk Pool. The program would have made payments if the base price of milk at the farm fell below the average short-term cost of milk production in the State as determined by studies performed for the Maine Milk Commission. The supplemental appropriation proposed in the bill for fiscal year 2002-03 was \$5,500,000. See the bill summary for LD 1945 for a summary of legislation enacted this session to establish 2 subsidy payment programs for Maine dairy farmers.

**LD 738**

**An Act To Save Maine Dairy Farms**

**ONTP**

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

LD 738 proposed directing the Maine Milk Commission to establish a maximum rate of return for the retail sale of milk. It would have authorized the commission to order a retail store to lower its prices if the commission determined that the maximum rate of return had been exceeded. It proposed requiring the owner or manager of a retail store to keep certain records and requiring the owner or manager of a retail store with daily sales in excess of 100 quarts of milk a day to submit monthly reports to the commission.

**LD 1253**

**Resolve, Directing the Department of Conservation To Implement a Pilot Project To Evaluate Outdoor Playground Surface Materials**

**RESOLVE 110**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN HALL	OTP-AM	H-693

LD 1253 proposed establishing a Playground Safety and Tire Recycling Fund to provide matching grants to public schools and institutions and state parks and recreation areas to purchase and install playground surfacing material made from waste tire material. The intent of this bill was to improve playground safety while promoting the reuse of tires. The bill proposed to establish the fund within the State Planning Office and direct that office to adopt rules to administer the fund. The bill proposed to impose a fee of 25¢ per tire to fund the grant program.

**Committee Amendment "A" (H-693)** proposed changing the bill to a resolve. It proposed directing the Director of the Bureau of Parks and Lands within the Department of Conservation to develop and implement a pilot project for evaluating the use of waste tire material as a playground surfacing material.