

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

August 2005

Members:

*Sen. John M. Nutting, Chair
Sen. Bruce S. Bryant
Sen. Kevin L. Raye*

*Rep. John F. Piotti, Chair
Rep. Jacqueline A. Lundeen
Rep. Raymond G. Pineau
Rep. Joanne T. Twomey
Rep. Rodney C. Jennings
Rep. Roderick W. Carr
Rep. Arlan R. Jodrey
Rep. Roger L. Sherman
Rep. Patrick S. A. Flood
Rep. Donald G. Marean*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Agriculture, Conservation and Forestry

and to submit a report with recommendations to the Second Regular Session of the 122nd Legislature. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation that session pertaining to food policy and the promotion of locally produced foods.

It clarifies the definition and use of the word "cervids." It removes a time restriction on foals resulting from insemination being registered as Maine standardbreds. It revises the board memberships for the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council and makes several clarifications to the Maine milk laws.

Chapter 382 also directs the Department of Agriculture, Food and Rural Resources to submit legislation to implement its recommendations to address legal ambiguities in the Maine Revised Statutes, Title 7. It directs the department to seek drafting assistance from the Office of Policy and Legal Analysis.

LD 429 **An Act To Require Veterinarians To Provide Vaccine Disclosure Forms** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	ONTP MAJ	
DOW	OTP-AM MIN	

LD 429 proposed requiring a veterinarian to provide information regarding the advantages and disadvantages of vaccines to the owner of a dog or cat before vaccinating the dog or cat.

Committee Amendment "A" (H-254) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry to add a penalty provision to the bill. The minority report was not accepted.

LD 433 **An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations** **PUBLIC 57 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM	H-81
BRYANT B		

LD 433 proposed allowing the Commissioner of Conservation to create dedicated accounts for the deposit of money received from the sale of general merchandise products such as t-shirts, audio and video recordings, coffee mugs, tote bags and calendars.

Committee Amendment "A" (H-81) proposed directing the Commissioner of Conservation to register for copyright protection original artwork used on products for sale, to contract with Maine businesses for the production of merchandise whenever possible and to limit sales to products of high quality and appropriate for sale by the department.

Enacted law summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2005, chapter 57 allows the Commissioner of Conservation to create dedicated accounts to receive money from the sale of general merchandise products such as t-shirts, audio and video recordings, coffee mugs, tote bags and calendars. Money donated to the Department of Conservation to support specific programs may also be deposited in these dedicated accounts. Chapter 57 authorizes the department to accept donations of goods and services to support specific programs. It also directs the Commissioner of Conservation to register for copyright protection original artwork used on products, to contract with Maine businesses for the production of merchandise whenever possible and to limit sales to products of high quality and appropriate for sale by the department. Public Law 2005, chapter 57 was enacted as an emergency measure effective April 21, 2005.

LD 438 **Resolve, To Improve Access to Emergency Services in State Parks, Historic Sites and the Maine Wildlife Park** **RESOLVE 26**

<u>Sponsor(s)</u> VAUGHAN SNOWE-MELLO		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-186
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LD 438 proposed directing the Commissioner of Conservation and the Commissioner of Inland Fisheries and Wildlife to take certain actions to improve the public's access to emergency services when visiting state parks and the Maine Wildlife Park.

Committee Amendment "A" (H-186) proposed requiring the Department of Conservation and the Department of Inland Fisheries and Wildlife to review their policies and procedures relating to emergency service providers and to report back to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2006.

Enacted law summary

Resolve 2005, chapter 26 requires the Department of Conservation and the Department of Inland Fisheries and Wildlife to review their policies and procedures for contacting emergency service providers and allowing emergency service providers access to facilities and to review and implement staff training in emergency response. It requires the departments to develop written emergency operating plans for all staffed facilities and to report back to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 31, 2006.

LD 457 **An Act To Remove an Access Gate from State-owned Land in Pittston Academy Grant, T2 R4 NBKP** **ONTP**

<u>Sponsor(s)</u> CLARK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 457 proposed prohibiting the operation of an access gate and the charging of camping or day use fees on certain lands recently acquired and managed by the Department of Conservation, Bureau of Parks and Lands. It proposed defining these lands as the Seboomook Lake purchase.