

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
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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

LD 654

An Act To Provide for Independent Testing of Unpasteurized Milk Products

PUBLIC 172

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J PIOTTI	OTP-AM MAJ ONTP MIN	S-142

LD 654 proposed requiring the Commissioner of Agriculture, Food and Rural Resources to review departmental procedures for testing food products for bacteria and revise the procedures to distinguish between types of bacteria that are harmful to human health and those that are not. It proposed prohibiting restrictions on sales of food products based on the presence of a bacterium unless the bacterium has been identified as harmful to human health.

Committee Amendment "A" (S-142) proposed changing the title and requiring the Department of Agriculture, Food and Rural Resources to establish a process for samples of certain unpasteurized milk products to be tested by an independent laboratory.

Enacted law summary

Public Law 2005, chapter 172 requires the Department of Agriculture, Food and Rural Resources to adopt rules establishing a process for samples of unpasteurized milk products to be tested by an independent laboratory. The owner of a milk plant may request independent testing when the milk laboratory operated by the department has tested samples from that plant and determined that state standards for unpasteurized milk products have not been met.

LD 781

Resolve, To Create Sebago Lake Village State Park

ONTP

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

LD 781 proposed directing the Department of Conservation, Bureau of Parks and Lands to purchase the boat ramp on Sebago Lake in the Town of Standish and 20 acres of Portland Water District property surrounding the boat ramp to establish Sebago Lake Village State Park. It proposed requiring the State to pay fair market value for the property acquired from the town and purchase the property from Portland Water District for the value of the property as determined by the tax assessed under the Maine Tree Growth Tax Law. This resolve proposed requiring the Bureau of Parks and Lands to improve the boat ramp in its existing location, create parking for 100 cars or boat trailers and create a memorial in the park for the British pilots who crashed their planes into Sebago Lake during World War II. The resolve proposed requiring that a proposal to move the boat ramp from the park receive approval by a 2/3 majority of Standish voters at a regularly scheduled election.