

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

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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 815

An Act To Require That Directors within the Department of Agriculture, Food and Rural Resources Be Unclassified

PUBLIC 337

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM MAJ ONTP MIN	S-249

LD 815 proposed requiring the division heads within the Department of Agriculture, Food and Rural Resources to be appointed by the Commissioner of Agriculture, Food and Rural Resources and designated as unclassified employees.

Committee Amendment "A" (S-249) proposed in statute the directors' positions within the Department of Agriculture, Food and Rural Resources, which are being designated as unclassified. It proposed transition language to the bill.

Enacted law summary

Public Law 2005, chapter 337 requires the division directors positions within the Department of Agriculture, Food and Rural Resources to be appointed by the Commissioner of Agriculture, Food and Rural Resources and designates them as unclassified employees. It allows persons serving as directors on the effective date of the Act to continue to serve as classified employees until the beginning of the next gubernatorial term of office.

LD 842

An Act To Prevent Price Gouging and To Stabilize Prices in the Sale of Milk

ONTP

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

LD 842 proposed prohibiting a person from selling fluid milk for an unconscionably excessive price and allowing the Maine Milk Commission to investigate to determine if a price is unconscionably excessive. The bill also proposed a provision for calculating a subsidy for Maine's dairy farmers and directing the Maine Milk Pool administrator to distribute the dairy stabilization subsidy on a monthly basis.

LD 861

An Act To Amend Arborist Licensing Law

ONTP

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

LD 861 proposed amending the arborist licensing law by eliminating the licensing exemptions for persons working on their employer's property and for general contractors who remove shade or ornamental trees in the conduct of their regular business. The bill proposed limiting the requirement that the Department of Agriculture, Food and Rural Resources investigate all complaints relating to arborists. It proposed requiring investigation of formally made complaints only.