

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

August 2005

Staff:

Jill Ippoliti, Legislative Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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

Committee Amendment "A" (H-284) proposed changing the name of the fund to the Agricultural Water Management and Irrigation Fund and clarifying that the fund might be used for irrigation and providing water for livestock operations.

Enacted law summary

Public Law 2005, chapter 150 establishes the Agricultural Water Management and Irrigation Fund in the Department of Agriculture, Food and Rural Resources. The department is authorized to accept money from any source for deposit in the fund. The fund may be used for irrigation and providing water for livestock operations. Public Law 2005, chapter 150 was enacted as an emergency measure effective May 20, 2005.

LD 967

An Act To Amend the Laws Governing Dogs at Large

ONTP

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

LD 967 proposed requiring a dog to be quarantined at a boarding kennel or a veterinary clinic if the dog has bitten a person or a domesticated animal or the dog is the subject of a complaint under Maine laws regarding dangerous dogs and the dog's owner or keeper does not provide an animal control officer with a valid certificate of rabies vaccination for the dog.

Committee Amendment "A" (H-430) proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed allowing an animal control officer to determine the place of quarantine for a dog that has bitten a person or domesticated animal. It increases the fine for failure to abide by quarantine provisions and other rules adopted to control rabies. The minority report was not adopted.

LD 1002

An Act To Transfer Responsibility from the Potato Marketing Improvement Committee to the Maine Potato Board

PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN LUNDEEN	OTP-AM	S-276

LD 1002 proposed transferring the responsibilities of the Commissioner of Agriculture, Food and Rural Resources as they pertain to potato marketing, the Potato Marketing Improvement Committee and the Potato Marketing Improvement Fund to the Maine Potato Board. It also proposed expanding uses of the Potato Marketing Improvement Fund.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (S-276) proposed repealing statutory provisions relating to the Potato Marketing Improvement Committee and designating the Maine Potato Board to serve in an advisory capacity to the Commissioner of Agriculture, Food and Rural Resources on matters relating to the Potato Marketing Improvement Fund.

Enacted law summary

Public Law 2005, chapter 335 repeals statutory provisions relating to the Potato Marketing Improvement Committee and designates the Maine Potato Board to serve in an advisory capacity to the Commissioner of Agriculture, Food and Rural Resources on matters relating to uses of the Potato Marketing Improvement Fund. It expands use of the fund to include programs and activities that improve the economic viability of the potato industry.

LD 1017

An Act To Monitor the Distribution of Land Acquisitions

PUBLIC 215

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-252
--------------------------	--	-----------------------------------	--	------------------------------------

LD 1017 proposed requiring the Land for Maine's Future Board to report annually to the joint standing committee of the Legislature having jurisdiction over matters pertaining to state parks and public lands on the expenditures made and acreage acquired and leased on a county-by-county basis. The bill also proposed requiring that the majority of expenditures from the Land for Maine's Future Fund and the Public Access to Maine Waters Fund during a 2-year period must be used for land acquisition in the 8 counties that are below the state median in percentage of public land.

Committee Amendment "A" (H-252) proposed replacing the bill. It proposed requiring the Land for Maine's Future Board to report information on expenditures and acquisitions on a county-by-county basis.

Enacted law summary

Public Law 2005, chapter 215 requires the Land for Maine's Future Board to include in its biennial report information on expenditures and acquisitions on a county-by-county basis for the report period and a cumulative report on acreages acquired by county.

LD 1064

An Act To Clarify the Laws Governing Agricultural Composting Operations **CARRIED OVER**

<u>Sponsor(s)</u> WOODCOCK CARR		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-256
---------------------------------------	--	-----------------------------------	--	------------------------------------

LD 1064 proposed enacting a definition of "agricultural composting" and clarifying that agricultural composting operations qualify for certain sales tax exemptions. It also proposed specifically including work in connection with "agricultural composting" in the definition of "agricultural labor" as that term is used in Maine's unemployment compensation statutes.