

# 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:**

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Sen. Bruce S. Bryant  
Sen. Kevin L. Raye*

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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

**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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	OTP-AM	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>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODCOCK CARR	OTP-AM	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.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**Committee Amendment "A" (S-256)** proposes replacing the definition of "agricultural composting" found in the bill with definitions of "agricultural composting operation" and "composting." It proposes removing the provision that proposed amending Maine's unemployment compensation statute.

This bill was carried over on the Special Appropriations Table by S.P. 640 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1070                      An Act To Amend the Law Regarding State Milk Payments                      PUBLIC 230**

<u>Sponsor(s)</u> PIOTTI		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1070 proposed allowing a milk producer to choose which month that producer would begin receiving payments under the Maine milk income loss contract.

*Enacted law summary*

Public Law 2005, chapter 230 allows a milk producer to choose which month that producer begins receiving payments under the Maine milk income loss contract. Production during the months that payments are delayed does not count towards the cap of 5,000,000 pounds under the Maine milk income loss contract.

**LD 1089                      Resolve, To Establish a North Woods Park Feasibility Study                      ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP    MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1089 proposed requiring the Department of Economic and Community Development, Office of Tourism to study the feasibility of establishing the North Woods Park, a state park located adjacent to Baxter State Park.

**Committee Amendment "A" (H-255)** proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It changes an incorrect reference from "state park" to "national park." The minority report was not adopted.

**LD 1106                      An Act To Amend Certain Animal Health Laws                      PUBLIC 146**

<u>Sponsor(s)</u> TWOMEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-305
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LD 1106 proposed establishing the State of Maine Animal Response Team and the State of Maine Animal Response Team Fund. It proposed a confidentiality clause to protect records and test results relating to diagnostic