

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1771

S.P. 598

In Senate, April 24, 2001

**Resolve, to Establish the Maine Cattle Health Assurance Program.**

(AFTER DEADLINE)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator KILKELLY of Lincoln.

Cosponsored by Senators: KNEELAND of Aroostook, MARTIN of Aroostook, MILLS of Somerset, Representatives: DAIGLE of Arundel, GAGNE of Buckfield, GREEN of Monmouth, NASS of Acton, WESTON of Montville.

2           **Sec. 1. Definitions. Resolved:** That, as used in this resolve,  
unless the context otherwise indicates, the following terms have  
the following meanings.

4           1. "Best management practices" means those methods that  
6           promote farm profitability, animal health and welfare, food  
product safety and environmental quality.

8           2. "Department" means the Department of Agriculture, Food  
10          and Rural Resources.

12          3. "Fund" means the Maine Cattle Health Assurance Fund.

14          4. "Producer" means a Maine producer of dairy or beef  
products.

16          5. "Program" means the Maine Cattle Health Assurance  
18          Program; and be it further

20           **Sec. 2. Maine Cattle Health Assurance Program developed; purpose.**  
**Resolved:** That the department shall develop the Maine Cattle  
22          Health Assurance Program. The purpose of the program is to  
ensure the highest quality supply of dairy and beef products by  
24          encouraging all Maine producers to use best management  
practices. The department also shall develop a farm assessment  
26          plan that provides for on-site evaluations of farms to assess and  
suggest ways to improve the health of herds, protect the health  
28          and safety of herds from disease and protect farms from  
environmental liability. In developing the program, including  
30          the best management practices and the farm assessment plan, the  
department shall consult with the University of Maine Cooperative  
32          Extension, the University of Maine System and state and federal  
veterinarians. The department also shall receive and consider  
34          comments from Maine producers; and be it further

36           **Sec. 3. Program participation. Resolved:** That participation by  
a producer in the program is voluntary. The department shall  
38          certify those producers that successfully employ best management  
practices and complete the farm assessment. The certification  
40          must be done on an annual basis; and be it further

42           **Sec. 4. Establishment of fund. Resolved:** That there is  
established the Maine Cattle Health Assurance Fund within the  
44          department. The Commissioner of Agriculture, Food and Rural  
Resources may accept public and private funding for deposit into  
46          the fund to be used to support the program. The fund is a  
nonlapsing fund; and be it further

48           **Sec. 5. Memorandum of understanding. Resolved:** That the  
50          department shall enter into a memorandum of understanding with

2 the Regional Dairy Quality Management Alliance in order to foster  
a regional cooperative endeavor that is beneficial to the dairy  
4 industry in New England and the mid-Atlantic states and that  
enables Maine to make use of dairy and beef production expertise  
6 from other areas; and be it further

8 **Sec. 6. Rulemaking. Resolved:** That the department shall by  
rule develop the program. Rules developed pursuant to this  
10 resolve are minor technical rules as defined in the Maine Revised  
Statutes, Title 5, chapter 375, subchapter II-A. The department  
12 shall report back to the Second Regular Session of the 120th  
Legislature by January 15, 2002 on the development of the program  
and any necessary implementing or sustaining legislation.

## 16 SUMMARY

18 This resolve requires the Department of Agriculture, Food  
and Rural Resources to develop and implement the Maine Cattle  
20 Health Assurance Program. The components of the program are:

22 1. The development of best management practices that  
promote dairy and beef farm profitability, animal health and food  
24 product safety and environmental quality;

26 2. An on-site assessment program that aids dairy and beef  
producers by suggesting ways of improving the health of their  
28 herds and protecting against disease and liability for  
environmental damage;

30 3. Annual inspection and certification of those farms that  
choose to participate in the program and successfully implement  
32 the best management practices as suggested by the department; and

34 4. A nonlapsing fund to receive public and private funding  
36 for the benefit of the program.

38 The department is directed to develop the program through  
rulemaking and to report back to the Legislature on the progress  
40 in implementing the program. The department is also required to  
enter into a memorandum of understanding with the Regional Dairy  
42 Quality Management Alliance for the purpose of obtaining  
expertise from other states in New England and other mid-Atlantic  
44 region states.