## MAINE STATE LEGISLATURE

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### STATE OF MAINE

### ONE HUNDRED AND THIRTEENTH LEGISLATURE FIRST REGULAR SESSION

### JOINT STANDING COMMITTEE ON

AGRICULTURE

BILL SUMMARY



JUNE 1987

#### PREPARED BY:

Christos Gianopoulos, Legislative Analyst Haven Whiteside, Legislative Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, DEP. DIRECTOR
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ROBERT W. DUNN, RES. ASST.
ARTLEY PALLESCHI, JR., RES. ASST.
KATHRYN VAN NOTE, RES. ASST.

# STATE OF MAINE OFFICE OF POLICY AND LEGAL ANALYSIS HARTLEY PALLESCHI, JR., RES. ASST. KATHRYN VAN NOTE RES. ASST.

ROOM 101/107 STATE HOUSE STATION 13 AUGUSTA, MAINE 04333 TEL.: (207) 289-1670

## ONE HUNDRED AND THIRTEENTH LEGISLATURE FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP Ought to Pass
OTP-ND Ought to Pass in New Draft
OTP-ND-NT Ought to Pass in New Draft, New Title
OTP-A Ought to Pass as Amended
ONTP Ought Not to Pass
LVWD Leave to Withdraw
INDEF PP Indefinitely Postponed

AN ACT TO CORRECT AN INCORRECT PERSONNEL PL 1987
DESCRIPTION IN THE LAW RELATING TO THE BOARD OF c. 311 LD 1635 PESTICIDES CONTROL.

**EMERGENCY** 

Sponsor: WHITCOMB, Parent, Bragg, Nutting Committee Report: OTP

SUMMARY: The bill corrects the description of a position created by PL 1985, c. 627. That was intended to be a summer seasonal pesticide inspector in Aroostook County. This bill takes the same \$60,000 allocated in the original legislation and spreads the allocation between FY 87 and FY 88. It also specifies that the position funded will be full time from April to October, and makes use of the newly created job classification: Pesticide Control Technician.

AN ACT TO BETTER ACCOMMODATE OVER-ORDER MILK LD 1741 PRICING.

PL 1987 c. 447

Sponsor: WHITCOMB, Sherburne, Parent, Nutting Committee Report: OTP-A Amendments Adopted: H-342 COMMITTEE S-217 DOW

SUMMARY: Prior to the passage of this bill, the Maine Milk Commission did not have the statutory authority to react quickly to the appearance of a 25¢ producer price premium in southern New England during the fall of 1986. This bill allows the commission to establish minimum producer prices under the emergency rule-making provisions of the Maine Administrative Procedure Act, the Maine Revised Statutes, Title 5, chapter 375.

This bill also expressly provides for the pooling of an over-order premium, recognizes the role of eligible marketing cooperatives in bringing about the existence of an over-order premium and maintains the equality of producer prices that is currently achieved by the Maine Milk Pool.

LD 1746 AN ACT TO CONSERVE AGRICULTURAL PRODUCTION CAPABILITY AND TO PROMOTE, HARMONY BETWEEN AGRICULTURE AND ADJACENT DEVELOPMENT.

CARRY-OVER

Sponsor: LISNIK, Nutting, Ridley, Perkins Committee Report: CARRY-OVER

SUMMARY: This bill allows owners of farmland to voluntarily register their land or any portion of it in a registry set up by the municipality. The registration would describe the farming activities on the registered

Office of Policy and Legal Analysis .....page 18 Agriculture

land. If agricultural chemicals are applied on the registered farmland by any spray application, the registration would so state and would identify the chemicals.

Registration of farmland would give notice to future purchasers of land abutting the registered land that farming activities are carried out. Sellers of land abutting registered farmland and their agents would be required to disclose to purchasers the existence and nature of the adjacent farming operation, including the spraying of agricultural chemicals.

Where agricultural chemicals are applied to registered farmland by spray application, the bill would prohibit inconsistent development or use of abutting land within 150 feet of any common boundary. Municipalities would be prohibited from issuing a building or use permit for any inconsistent development. Present owners would be allowed to seek from the muncipality a variance of the 150 foot prohibition.

LD AN ACT RELATING TO THE PAYMENT OF DUES TO PL 1987
1753 GROWER ORGANIZATIONS BY HANDLERS AND PROCESSORS C. 384
OF FARM PRODUCTS.

Sponsor: LISNIK, Mahany, Paradis J, Collins Committee Report: New Draft of LD 213 Amendments Adopted: H-279 TARDY

SUMMARY: This new draft accomplishes the purpose of LD 213 while retaining more of the language of the existing law. That purpose is the extension of the dues check-off privilege to agricultural cooperatives that do not have a current contract with a processor or handler, but whose members, nonetheless, sell products or services to the processor or handler.

The original bill also inadvertently took away the dues check-off privilege from agricultural cooperatives composed of contract poultry growers, who perform services rather than sell products. The new draft corrects that error.

The new draft establishes a time deadline by which a dealer or processor must remit assigned dues to an association. Failure to timely pay over the assigned dues would be a civil violation or, alternatively, could result in a private action brought by the association.