

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

Joint Standing Committee on Agriculture

LD 56 **Resolve, Directing the Department of Agriculture, Food and Rural Resources to Establish Accurate and Verifiable Standards of Measurement for Fuel Wood** **ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TRACY	ONTP	

SUMMARY

This resolve would have required the Department of Agriculture, Food and Rural Resources to establish standards of measurement for fuel wood and to devise a program for training and testing persons who measure fuel wood. This resolve proposed that the Department present any necessary implementing legislation to the Second Regular Session of the 115th Legislature.

LD 89 **An Act Authorizing Certified Breeders of Domestic Animals to Administer Rabies Vaccinations** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RICHARDS LORD TARDY TITCOMB	LV/WD	

SUMMARY

This bill would have allowed certified breeders to administer rabies shots to domestic animals. The bill would have required the Department of Agriculture, Food and Rural Resources to establish qualifications for certified breeders and maintain a registry of certified breeders.

LD 97 **An Act to Promote Cranberry Cultivation in Maine** **PUBLIC 214
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CARROLL J LOOK DUFFY	OTP-AM MAJ OTP-AM MIN	H-175 MAJ REP H-266 TARDY

SUMMARY

The original bill would have exempted filling a freshwater wetland and construction of facilities in a freshwater wetland for the purpose of cranberry cultivation or cultivation of other wetland crops from the permitting process under natural resources protection law. The majority report, Committee Amendment "A" (H - 175), amended the bill to exempt only those cranberry cultivation projects certified by the Department of Agriculture, Food and Rural Resources. The amendment established certification procedures and requirements. Certain classifications of wetlands were not eligible for certification under the proposed requirements. The department would have been afforded 45 days to review an application and issue certification if all requirements had been met.

The minority report, Committee Amendment "B" (H-176), differed from the majority report in that the Department of Environmental Protection would have been the agency directed to certify cranberry cultivation projects. Certification requirements and procedures were the same as in the majority report except that the department could have deferred action beyond the 45 day period when winter conditions prevented evaluation of the proposed site.

House Amendment "A" (H-266) to Committee Amendment "A" (H-175) replaced the majority report. This amendment provides a general permit process to facilitate the consideration of cranberry cultivation projects in certain types of wetlands. Persons seeking to cultivate cranberries in compliance with the terms of the general permit do not require individual permits from the Department of Environmental Protection. The department is afforded a 45-day review period prior to any development of a proposed cranberry cultivation site located in a wetland. During the review period the department may determine whether or not the proposed project meets the provisions of the general permit. The Department of Agriculture, Food and Rural Resources is charged with certifying the adequacy of the cranberry cultivation practices proposed by the applicant.

LD 101 An Act Amending the Potato Branding Laws CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TARDY TWITCHELL		

SUMMARY

This bill proposes to amend laws pertaining to the enforcement of the Potato Branding Laws. Inspection of potatoes in transit would be prohibited. Refusing access to an inspector would no longer be a separate violation of the branding laws.

LD 111 An Act to Facilitate the Reimbursement of Deposits on Pesticide Containers LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD	LV/WD	

SUMMARY

This bill would have required inspectors with the Board of Pesticides Control to verify triple rinsing of pesticide containers during their normal course of work if the inspector were at a location where pesticide containers were stored and the owner of the containers requested inspection. Authorized collection, disposal, or recycling facilities require verification of triple rinsing prior to accepting the containers. Currently, inspectors schedule certain days to be on site at landfills to verify triple rinsing at the time of disposal.

LD 184 An Act Concerning Manure Spreading ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY TRACY	ONTP	

SUMMARY

This bill proposed a vehicle for citizens to initiate investigations of alleged improper manure handling. The bill would have required the Commissioner of Environmental Protection to respond to a citizens' petition and determine if water quality had been affected by manure spreading or other manure handling practices. Current law provides for the Department of Agriculture, Food and Rural Resources to investigate complaints of improper manure handling and to advise the Department of Environmental Protection if a potential water quality violation exists.