

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
AGRICULTURE

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

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exhibitions, and agricultural fairs. The bill permits the court to order restitution of up to 3 times the economic damage.

The committee amendment (H-119) adds a fiscal note and correctional impact statement to the bill.

**LD 218      An Act to Exempt Certain Greenhouse and Nursery Owners      PUBLIC 256**  
**from Licensing Fees**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KETTERER	OTP-AM	H-209 H-238    CHONKO H-361    TARDY

**SUMMARY**

Under current law, nursery owners who have a greenhouse, a retail sales area in excess of 150 square feet or gross sales of nursery stock in excess of \$500 pay an annual license fee of \$25. The bill exempts from this fee owners of greenhouses associated with educational institutions and requires the fee only when the sales area for nursery stock, not the total sales area, is over 150 square feet.

The committee amendment (H-209) replaces the bill. It provides that educational institutions are exempt from the greenhouse and nursery license fee and provides a 2-tier fee structure for all other licensees. The amendment also adds a fiscal note.

House Amendment "A" (H-238) replaces the fiscal note.

House Amendment "B" (H-361) corrects a technical error in the committee amendment.

**LD 343      An Act to Define Farmers' Market      PUBLIC 138**  
**EMERGENCY**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
KILKELLY	OTP-AM	H-168

**SUMMARY**

This bill requires that a person who sells farm produce at a market labeled "farmers' market" sell primarily produce grown by that person.

The committee amendment (H-168) replaces the bill. It defines farmers' market as a place where 2 or more farmers sell farm and food products directly to consumers, and where at least 75% of the product sold by each participant in the market is grown or processed by that farmer or under that farmer's direction, and the remaining portion is purchased directly from another farmer. Advertising a market that does not meet the definition in this bill, or selling at a market in violation of the terms of the bill would be a civil violation. The amendment also adds an emergency clause and emergency preamble.

**LD 378      An Act to Improve Milk Quality      ONTP**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TARDY	ONTP	

**SUMMARY**

This bill would have required containers of milk and cream to bear a "quality assurance date," which would have established the last day on which the milk or cream could be offered for sale. For most products, the date would not have been more than 14 days from the day of pasteurization, but some quality assurance dates could have been more than 14 days after pasteurization if the product met certain standards and the dairy followed certain procedures.

**LD 414      An Act to Permit Animal Shelters to Administer Rabies Vaccine      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
JONES                                      ONTP

**SUMMARY**

This bill would have allowed a person who has successfully completed instruction approved by the Department of Agriculture, Food and Rural Resources to vaccinate dogs and cats that are residents in an animal shelter. The department would have been required to make that instruction available upon application at a cost not to exceed \$15.

**LD 419      An Act to More Fully Regulate the Sale of Pets      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
TARDY                                      ONTP

**SUMMARY**

This bill would have required the Department of Agriculture, Food and Rural Resources to regulate the ownership, sale and maintenance of reptiles and amphibians. The bill would also have removed these animals from the requirements for a permit for importation, breeding or display by the Department of Inland Fisheries and Wildlife.

**LD 420      An Act to Require Licensing of Cats      ONTP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
HALE    ONTP

**SUMMARY**

This bill would have established a system of licensing cats that is modeled after the State's dog licensing laws. Cats capable of producing young would have been licensed for a \$2.50 annual fee and cats incapable of producing young would have been licensed for a \$1 annual fee. Municipalities would have been allowed to keep half of the licensing fee for cats incapable of producing young.

**LD 483      An Act to Ensure Uniformity in Gasoline Octane Levels      INDEF PP**

**SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED**  
MARDEN                                      OTP-AM                                      S-145

**SUMMARY**

This bill would have specifically authorized the State Sealer of Weights and Measures to conduct tests of gasoline offered for sale for consistency with the stated octane level.