

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
AGRICULTURE, CONSERVATION AND FORESTRY

AUGUST 1995

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

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

# Joint Standing Committee on Agriculture, Conservation and Forestry

## LD 4 An Act to Continue the Fee on the Handling of Milk

PUBLIC 2

**SPONSOR(S)**  
STROUT

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

### SUMMARY

This bill responds to the situation caused by the decision of the United States Court of Appeals for the First Circuit in Cumberland Farms, Inc. v. LaFaver, No. 93-2066 (August 24, 1994) to invalidate the Maine Dairy Farm Stabilization Act as violating the Commerce Clause of the United States Constitution. Part of the Act is a tax on the handling of packaged milk, under which the State collected on average over \$2,000,000 a year since the inception of the tax.

This bill repeals the entire Maine Dairy Farm Stabilization Act, which the Circuit Court struck down. It then enacts a new chapter to continue the revenue portion of the invalidated Act. The Milk Handling Tax, although a new name, is not a new tax. It contains the same rate of tax imposed on the activity of handling milk that is sold in Maine. The amount of the tax fluctuates with the basic price of milk. A major difference is that the tax collected will be deposited in the General Fund.

## LD 56 An Act to Protect Forest Management as a Viable Land Use

PUBLIC 122

**SPONSOR(S)**  
LORD

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-81

### SUMMARY

The bill would have limited the scope of regulations that a municipality may impose on timber harvesters.

COMMITTEE AMENDMENT "A" (S-81) replaces the bill. It establishes a process for the development and review of municipal ordinances regulating timber harvesting.

It also adds a fiscal note to the bill.

## LD 150 An Act to Increase Dog License Agent Fees for Municipal Clerks

ONTP

**SPONSOR(S)**  
BENEDIKT

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

### SUMMARY

This bill would have raised from \$1.00 to \$1.25 the fee for a dog license that clerks charge for municipal recording fees.