

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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Rep. Edward L. Dexter

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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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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

LD 1382 An Act to Strengthen the Laws Concerning Labeling and Advertising of Native Produce

PUBLIC 294

SPONSOR(S)
SPEAR

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-481

SUMMARY

The bill would have required that farm products offered for sale at a farmer's market that were not grown or processed in the State be labeled indicating that the farm product was grown or processed out of state. The bill would have also increased the fine for a violation of the farmer's market laws and the laws regarding native, native-grown and locally grown produce.

COMMITTEE AMENDMENT "A" (H-481) The amendment replaces the bill. It alters current law regarding the labeling of farm produce by placing on the seller the burden of proof of identifying the origin of farm produce. It also increases the fines for a violation from a minimum of \$100 to a minimum of \$200 and from a maximum of \$200 to a maximum of \$300.

The amendment also adds a fiscal note.

LD 1404 An Act to Amend the Law Regarding the Lease of Submerged Lands

CARRIED OVER

SPONSOR(S)
KILKELLY
GOULD

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

The bill would repeal existing law related to the granting of leases and easements for submerged and intertidal lands held in trust by the State and establish a new procedure for allowing use and construction upon those lands. Entities, public and private, that use submerged lands for fishing, navigation, fowling or other traditional public trust uses would be granted exclusive use of the submerged lands without requirement of lease or easement as long as those uses continue. Structures that facilitate those traditional uses would need to be registered and would be subject to a \$100 registration fee. Structures that do not facilitate those uses would require a lease from the Bureau of Public Lands and payment of a one-time administrative fee of \$100. This bill would also establish a Submerged Lands Public Trust Review Board with authority to adopt rules governing submerged lands and to hear appeals of submerged lands leasing-related decisions made by the Director of the Bureau of Public Lands.

LD 1434 An Act to Strengthen the Laws Concerning Damage by Dogs

PUBLIC 351

SPONSOR(S)
OTT

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-436

SUMMARY

The bill amends the laws establishing liability for damage done by dogs to livestock and poultry to also include liability for damage done by dogs to other pets, including dogs. An exception to liability is established if the dog causing the damage was provoked by the dog victim.

COMMITTEE AMENDMENT "A" (H-436) clarifies that the definition of "pet" in the bill applies to certain domesticated animals. It also clarifies that the exceptions in the original bill apply to situations involving the killing or injury of a dog.

The amendment also repeals a section from the law concerning liability under civil actions for damage by any animal and deletes a cross-reference to that section in the animal trespass laws concerning liability for damage by animals.

The amendment also adds a fiscal note to the bill.

LD 1436 Resolve, to Preserve the Dairy Industry in the State

**RESOLVE 35
EMERGENCY**

SPONSOR(S)
SPEAR

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-518

SUMMARY

The resolve establishes a study commission to study options for ensuring the long-term health of the dairy industry in the State. The commission will analyze other strategies, besides direct subsidies, for keeping Maine dairy farms in business.

COMMITTEE AMENDMENT "A" (H-518) increases from 5 to 13 the number of members of the Commission to Study Options for Preserving the Dairy Industry in the State. It also specifies the commission's membership.

The amendment also allows the commission to study any relevant topic upon a majority vote of the commission. It changes the reporting date from November 15, 1995 to December 15, 1995. The amendment also increases from \$5,000 to \$8,000 the amount of money to be transferred from the Maine Dairy Farm Stabilization Fund to the Legislature for the purpose of funding the study.

The amendment provides \$10,000 to the Northeast Interstate Dairy Compact Committee for the purpose of encouraging approval by the United State Congress of the Northeast Interstate Dairy Compact.

The amendment also adds a fiscal note to the resolve.

LD 1452 An Act to Ban the Sale, Breeding or Possession of Canine Hybrids

ONTP

SPONSOR(S)
SAVAGE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill would have prohibited the sale, breeding or possession of canine hybrids, including wolf dogs and coydogs. It would have grandfathered ownership of those canine hybrids already in the State and the sale of canine hybrid offspring of a canine already pregnant on the effective date of the bill. An owner of a grandfathered canine hybrid would have been required to sign an affidavit acknowledging the experimental nature of the use of the canine rabies vaccine on canine hybrids and file the affidavit with the municipal clerk upon obtaining a dog license. All other laws applicable to dogs would have been applicable to those canine hybrids that are in the State.