

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE, CONSERVATION AND FORESTRY**

JUNE 1996

MEMBERS:

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Sen. Willis A. Lord

Sen. Judy A. Paradis

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Rep. Edward L. Dexter

Rep. Robert E. Pendleton, Jr.

Staff:

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

Rural Resources to establish a state meat inspection advisory committee and to perform the following tasks: develop for custom meat processors in this State a hazard analysis critical control point manual that complies with United States Department of Agriculture standards; develop legislation to establish a hazard analysis critical control point program for meat inspection in this State; determine the feasibility and criteria for a hazard analysis critical control point pilot project; and negotiate with the United States Department of Agriculture to establish a hazard analysis critical control point pilot project for meat inspection in this State. It proposed to remove from the bill the \$20,000 General Fund appropriation and require the Department of Agriculture, Food and Rural Resources to accomplish the tasks to the extent possible within existing budgeted resources.

Enacted law summary

Resolve 1995, chapter 78 requires the Commissioner of Agriculture, Food and Rural Resources to establish a state meat inspection advisory committee and to perform the following tasks: develop for custom meat processors in this State a hazard analysis critical control point manual that complies with United States Department of Agriculture standards; develop legislation to establish a hazard analysis critical control point program for meat inspection in this State; determine the feasibility and criteria for a hazard analysis critical control point pilot project; and negotiate with the United States Department of Agriculture to establish a hazard analysis critical control point pilot project for meat inspection in this State. The commissioner must report on these tasks by February 1, 1997 to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry.

LD 1593

An Act to Implement the Productivity Plan of the Department of Agriculture, Food and Rural Resources Relating to the Animal Welfare Board, the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council

PUBLIC 693
EMERGENCY

Sponsor(s)

KERR
CARPENTER

Committee Report

OTP-AM

Amendments Adopted

H-843
S-527

LD 1593 proposed to repeal the Animal Welfare Board and transfer the board's responsibilities regarding investigation of pet animal cruelty complaints to the commissioner. Other powers and responsibilities of the board, such as the appointment of intermittent humane agents and the operation of a spaying and neutering fund, would be transferred to the commissioner. The role as well as the membership of the Animal Welfare Advisory Committee would be expanded. The committee would have included one member who is or has been a licensed veterinarian and another member who represents the interest of the public in animal welfare, generally. All committee members would have continued to be appointed by the Governor, but would no longer be subject to legislative review and confirmation.

The bill proposed to make adjustments to Other Special Revenue allocations for the Maine Dairy Promotion Board and provide for the elimination of the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council. The department would have carried out the board's and council's programs with the assistance and advice of a new Maine Dairy and Nutrition Advisory Council and a Maine Dairy Promotion Advisory Board.

Committee Amendment "A" (H-843) proposed to make the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council independent public instrumentalities of the State. It proposed to strike those sections of the bill that would have made the council and the board advisory bodies to the Department of Agriculture, Food and Rural Resources.

The amendment also proposed to make technical changes to Maine's dairy laws. It also proposed to strike sections of the bill related to Maine's animal welfare laws because those sections were enacted by the Legislature during the 1995 Special Session.

Senate Amendment "A" (S-527) proposed replacing a section of the bill to take into account a change made by Public Law 1995, chapter 502, Part C, section 3.

Enacted law summary

Public Law 1995, chapter 693 makes the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council independent public instrumentalities of the State. The amendment also makes technical changes to Maine's dairy laws.

Chapter 693 was enacted as an emergency measure effective April 11, 1996.

LD 1686 An Act to Remove the 50-foot Buffer Requirement When Cutting Trees ONTP

Sponsor(s)
LORD

Committee Report
ONTP

Amendments Adopted

LD 1686 would have prohibited the requirement that separation zones be left on sides of a lot when cutting trees.

LD 1691 An Act to Amend the Law Allowing the Growth and Sale of Cultivated Ginseng in Maine PUBLIC 556 EMERGENCY

Sponsor(s)
CASSIDY
KILKELLY

Committee Report
OTP-AM

Amendments Adopted
S-434

LD 1691 proposed to provide the Department of Agriculture, Food and Rural Resources with the authority to maintain maps and locations of ginseng plantings in the State as confidential business information.

Committee Amendment "A" (S-434) proposed to clarify language in the bill by stating that records required of cultivated ginseng licensees by the department pertaining to the location of ginseng plantings may not be made available for public inspection. The amendment also proposed to remove from public inspection ginseng license applications and the names and addresses of licensees. This confidential status would terminate when the records are used by the department as evidence for an enforcement action pursuant to this chapter or are subpoenaed in any proceeding to enforce a provision of this chapter, or are used in any prosecution for a criminal violation. A licensee could authorize in writing the disclosure of records pertaining to license applications and the names and addresses of licensees.