

# 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*

*Rep. Robert W. Spear, Chair*

*Rep. Marge L. Kilkelly*

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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 &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 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.

laws that municipal officers and other municipal agents are required to follow or be subject to fines. It deletes from the requirements those chapters of the animal welfare laws under which municipal officers or agents are not required to perform functions.

**LD 1719**      **An Act to Correct Omissions in the Productivity Realization Task Force Legislation Relating to the State Soil and Water Conservation Commission and the Animal Welfare Board**      PUBLIC 532

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY	OTP-AM	S-426

LD 1719 proposed to accurately reflect the legislative intent of Senate Amendment "F" to Committee Amendment "A" to LD 1589, which was enacted into law as Public Law 1995, chapter 502. The statement of fact to that amendment indicated that the intention of the amendment was to incorporate 2 other Senate amendments that were in conflict. This bill proposed to include sections that Senate Amendment "F" to Committee Amendment "A" inadvertently omitted. These sections proposed to repeal the State Soil and Water Conservation Commission, which assists soil and water conservation districts throughout the state. The sections propose to transfer the duties of the commission to the Department of Agriculture, Food and Rural Resources and create the State Conservation District Advisory Council to advise the Commissioner of Agriculture, Food and Rural Resources.

**Committee Amendment "A" (S-426)** proposed to repeal a section of law pertaining to the legal services, executive director and delegation of power of the State Soil and Water Conservation Commission. It also proposed to reorganize language in the bill concerning the State Conservation District Advisory Council and the duties of the Department of Agriculture, Food and Rural Resources relative to soil and water conservation districts.

***Enacted law summary***

Public Law 1995, chapter 532 repeals the State Soil and Water Conservation Commission, which assisted soil and water conservation districts throughout the state. The law transfers the duties of the commission to the Department of Agriculture, Food and Rural Resources and it creates the State Conservation District Advisory Council to advise the Commissioner of Agriculture, Food and Rural Resources.

**LD 1725**      **An Act to Clarify and Improve the Governor's Authority to Ban Out-of-door Fires and Restrict Human Activity during Periods of High Fire Danger**      PUBLIC 586

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY KILKELLY	OTP-AM	S-504

LD 1725 proposed to clarify the Governor's authority to restrict those activities that are likely to result in forest fires while allowing other lower risk activities that involve fire to continue. The statutory language in effect at the time the bill was presented specifically listed only 2 exemptions from a ban on open fires. The changes proposed in the bill would have allowed the Governor to exempt other activities from a ban provided they were not likely to pose a threat to lives or property.

This bill also proposed that a person who sets an arson forest fire commits a Class A crime.

**Committee Amendment "A" (S-504)** proposed to establish a process and conditions under which out-of-door fires and the use of charcoal or gas grills at private licensed camping facilities and certain public camping facilities may be exempt from a fire ban proclamation issued by the Governor. The public camping facilities are those under the jurisdiction of the Department of Conservation and the Baxter State Park Authority. The amendment proposed to establish penalties for people who violate the conditions at exempt facilities. It also proposed to strike the Class A crime for arson forest fire. In addition, the amendment proposed to provide the Governor the authority to exempt from a fire ban human activities and out-of-door fires that do not create a significant forest fire threat.

***Enacted law summary***

Public Law 1995, chapter 586 establishes a process and conditions under which out-of-door fires and the use of charcoal or gas grills at private licensed camping facilities and certain public camping facilities may be exempt from a fire ban proclamation issued by the Governor. The public camping facilities are those under the jurisdiction of the Department of Conservation and the Baxter State Park Authority. The amendment establishes penalties for people who violate the conditions at exempt facilities. It also strikes the Class A crime for arson forest fire. In addition, the amendment provides the Governor the authority to exempt from a fire ban human activities and out-of-door fires that do not create a significant forest fire threat.

**LD 1776      **Resolve, to Require Additional Promotion of the Maine Quality Seal****

RESOLVE 68  
EMERGENCY

Sponsor(s)  
SPEAR

Committee Report  
OTP-AM

Amendments Adopted  
H-826

LD 1776 was one of 6 bills submitted by the Commission to Study Options for Preserving the Dairy Industry in the State.

The resolve proposed to require the Maine Dairy Promotion Board to increase promotion of the Maine Quality Seal for dairy products. It also proposed the board set specific goals for the promotion and to evaluate the promotion effort. It proposed that \$50,000 be transferred from the Maine Dairy Farm Stabilization Fund to be used toward the expenses for this promotion.

**House Amendment "A" (H-826)** proposed to correct a spelling error and add a fiscal note.

***Enacted law summary***

Resolve 1995, chapter 68 requires the Maine Dairy Promotion Board to increase promotion of the Maine Quality Seal for dairy products. It requires the board to set specific goals for the promotion and to evaluate the promotion effort. It provides that \$50,000 be transferred from the Maine Dairy Farm Stabilization Fund to be used toward the expenses for this promotion.

Chapter 68 was enacted as an emergency measure effective April 2, 1996.