

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

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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.

LD 1778**Resolve, to Require the Department of Agriculture, Food and Rural Resources to Take Various Actions in Support of the Dairy Industry**RESOLVE 69
EMERGENCYSponsor(s)
SPEARCommittee Report
OTP-AMAmendments Adopted
H-801

LD 1778 was one of 6 bills submitted by the Commission to Study Options for Preserving the Dairy Industry in the State. It proposed to require the Commissioner of Agriculture, Food and Rural Resources to accomplish the following tasks:

1. Assist the joint standing committee of the Legislature having jurisdiction over agricultural matters in developing a plan with other northeastern states to apportion agricultural research among the various land grant universities;
2. Work on dairy farm energy issues;
3. Improve communication regarding value-added dairy products;
4. Ensure that the Maine Milk Commission is not being overly restrictive in approving dairy promotions;
5. Establish a clearinghouse for those desiring to sell and those desiring to buy farms;
6. Develop a program for on-site management advice for dairy farms;
7. Ensure that dairy interests are aware of proposed environmental rules that might affect the dairy industry; and
8. Request Maine's Congressional delegation to attempt to have dairy products placed under the North American Free Trade Agreement with Canada. The action or trade with Canada must be initiated within 30 days of the effective date of this resolve and the plan for on-site management advice must be completed by January 1, 1997. The remaining activities require a yearly status report until accomplished. No date for final accomplishment is given.

Committee Amendment "A" (H-801) proposed to change language in the first two tasks outlined in the resolve. Regarding the first task, the amendment proposed to require the Commissioner of Agriculture, Food and Rural Resources to investigate the potential to work with other northeastern states on the development and implementation of a program to apportion agricultural research among the land grant colleges in different states with the goals of encouraging specialization and avoiding duplication. The resolve had proposed requiring the commissioner to assist the joint standing committee of the Legislature having jurisdiction over agricultural matters in the land grant task. Regarding the second task in the resolve, the amendment proposed that the commissioner continue the discussions of the Commission to Study Options for Preserving the Dairy Industry in the State with Central Maine Power Company regarding stray voltage in dairy barns, diesel deferral rates and the differences in rates offered to residential and commercial customers.

Enacted law summary

Resolve 1995, chapter 69 requires the Commissioner of Agriculture, Food and Rural Resources to accomplish the following tasks:

1. Investigate the potential to work with other northeastern states to apportion agricultural research among the various land grant universities;
2. Work on dairy farm energy issues;
3. Improve communication regarding value-added dairy products;
4. Ensure that the Maine Milk Commission is not being overly restrictive in approving dairy promotions;
5. Establish a clearinghouse for those desiring to sell and those desiring to buy farms;
6. Develop a program for on-site management advice for dairy farms;
7. Ensure that dairy interests are aware of proposed environmental rules that might affect the dairy industry; and
8. Request Maine's Congressional delegation to attempt to have dairy products placed under the North American Free Trade Agreement with Canada. The action or trade with Canada must be initiated within 30 days of the effective date of this resolve and the plan for on-site management advice must be completed by January 1, 1997. The remaining activities require a yearly status report until accomplished. No date for final accomplishment is given.

Chapter 69 was enacted as an emergency measure effective April 2, 1996.

**LD 1808 An Act to Increase the Reimbursement Levels for Forest Fire
Suppression Costs**

INDEF PP

Sponsor(s)
CARR
TUTTLE

Committee Report
OTP-AM

Amendments Adopted
H-862

Under current law, municipalities are entitled to reimbursement for incurred forest fire suppression costs that exceed .25% of their state valuation. Anything above this threshold is reimbursed by the State.

LD 1808 proposed changing the law by repealing the threshold amount and requiring the State to reimburse municipalities for 50% of the costs incurred by the municipalities, regardless of the amount of the costs of fire suppression. The State would have been required to pay for or reimburse the municipality for forest fire suppression costs above .25% of the state valuation of the municipality.

The effect of the changes proposed by this bill would have been felt only by those municipalities that currently incur fire suppression costs that do not reach the .25% valuation threshold. The bill would have returned the law to the language that existed prior to changes that were made in 1991.

Committee Amendment "A" (H-862) proposed to strike the bill. It proposed that a municipality pay up to .50% of its state valuation for the costs of fighting forest fires in the municipality and the State reimburse the municipality for 1/2 of those costs. The amendment also