

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:

Sen. Vinton E. Cassidy, Chair

Sen. Willis A. Lord

Sen. Judy A. Paradis

Rep. Robert W. Spear, Chair

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Rep. Edward L. Dexter

Rep. Robert E. Pendleton, Jr.

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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.

proposed to require the State to pay for all forest fire costs greater than .50% of a municipality's state valuation. Under current state law, a municipality must pay all the costs of forest fire control up to .25% of the municipality's state valuation with no reimbursement by the State. The State, under current law, must pay all forest fire costs in a municipality that exceed .25% of the municipality's state valuation.

The amendment also proposed to require a municipality to pay the first \$10,000 in fire suppression costs for each forest fire, except that the total amount a municipality pays annual for forest fire suppression costs could not exceed .50% of the municipality's state valuation.

The amendment also proposed to provide that the unorganized territory reimburse the State for 1/2 of the costs of fighting forest fires up to a total fire-fighting cost equal to .50% of the unorganized territory's state valuation. The State would pay forest fire costs in the unorganized territory that are greater than .50% of the unorganized territory's state valuation. Under current state law, the unorganized territory must reimburse the State for all the costs of forest fire control up to .25% of the unorganized territory's state valuation with no reimbursement by the State. The State, under current law, must pay all forest fire costs in the unorganized territory that exceed .25% of the unorganized territory's state valuation.

The amendment also proposed to require the unorganized territory to pay, for each forest fire, the first \$10,000 in fire suppression costs, except that the total amount the unorganized territory pays annually for forest fire suppression costs could not exceed .50% of the unorganized territory's state valuation.

LD 1809

An Act Strengthening the Laws That Prohibit the Drugging of Animals Competing in Pulling Events and Livestock Exhibitions

PUBLIC 602

Sponsor(s)
WHITCOMB
SPEAR

Committee Report
OTP-AM

Amendments Adopted
H-802

LD 1809 proposed to strengthen the current laws that prohibit the drugging of animals entered in pulling contests and expand the prohibition to include animals entered in livestock exhibitions.

As with the law in effect when the bill was presented, the bill proposed to allow the use of therapeutic drugs, but require a written statement to be filed within one hour of the administration of medication indicating, among other pertinent information, the type of medication and the reason for the treatment. A minimum forfeiture for violations was proposed. In addition, the bill proposed all prize money and trophies won by the animal be returned.

Committee Amendment "A" (H-802) proposed to add to the definition of "prohibited substance" any substance that the Commissioner of Agriculture, Food and Rural Resources by rule determines could affect the conduct, actions, endurance, strength, speed performance, appearance or disposition of an animal entering into a pulling event or livestock exhibition. It also proposed to clarify that an animal's owner or trainer may not refuse to secure or restrain an animal for examination and may not interfere with the securing or restraining of an animal.

The amendment also proposed to require notice to be provided to the manager of an event when an animal has been administered a therapeutic drug. It also proposed to describe the conditions under which a trainer may administer therapeutic drugs.

Enacted law summary

Public Law 1995, chapter 602 repeals existing law relating to the drugging of animals entered in pulling events and enacts new law to include prohibitions related to the drugging of animals entered into livestock exhibitions as well as prohibitions related to the drugging of animals entered into pulling contests. The bill defines “prohibited substance” and provides the Commissioner of Agriculture, Food and Rural Resources the authority to add to that definition any substance the commissioner determines could affect the conduct, actions, endurance, strength, speed, performance, appearance or disposition of an animal. In addition, the law makes the owner or trainer of an animal entered into an event responsible for the condition of an animal, including the presence of an prohibited substance. The law also establishes procedures related to violations and the administration of therapeutic drugs.

LD 1819 An Act to Promote Forest Rehabilitation and Eliminate Clearcutting ONTP

<u>Sponsor(s)</u> INITIATED BILL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1819, a voter initiated bill, proposed to set standards for timber harvesting activities within the jurisdiction of the Maine Land Use Regulation Commission. These standards would have included the elimination of clearcutting, limits on the amount of timber that may be harvested in a specified period of time, and minimum tree stand volume following harvesting operations.

LD 1843 An Act to Encourage Enterprises Engaged in Agriculture and Aquaculture in Maine and to Amend the Maine Seed Capital Tax Credit Program PUBLIC 658 EMERGENCY

<u>Sponsor(s)</u> CASSIDY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-542
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LD 1843 proposed to create the Agricultural Marketing Loan Fund, which would be administered by the Department of Agriculture, Food and Rural Resources. The fund would be used to provide loans for enterprises engaged in agriculture and aquaculture. All loans under the program would be made in conjunction with private lenders or other sources of capital.

Committee Amendment "A" (S-542) proposed to establish the Agricultural Marketing Loan Fund within the Finance Authority of Maine, but place the administration of the fund under the jurisdiction of the Commissioner of Agriculture, Food and Rural Resources.

The amendment also proposed to amend the Maine Seed Capital Tax Credit Program to allow a principal owner's parents, brothers, sisters or children to receive tax credits for investments in the principal owner's business and for investments in a venture capital fund that invests in the principal owner's business. The amendment also proposed that no tax credit certificate may be issued to a parent, brother, sister or child of a principal owner if the parent, brother, sister or child has any existing ownership interest in the business.