

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

Rep. Marge L. Kilkelly

Rep. Douglas J. Ahearne

Rep. Clyde A. Hichborn

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Rep. Richard Kneeland

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.

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.

Enacted law summary

Public Law 1995, chapter 658 establishes the Agricultural Marketing Loan Fund within the Finance Authority of Maine, but places the administration of the fund under the jurisdiction of the Commissioner of Agriculture, Food and Rural Resources. It also amends 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 law also requires 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.

Chapter 658 was enacted as an emergency measure effective April 10, 1996.

LD 1888 An Act Regarding the Maine Potato Board

PUBLIC 702
EMERGENCY

Sponsor(s)
SPEAR

Committee Report
OTP

Amendments Adopted

LD 1888 proposed that employees of the Maine Potato Board be considered state employees for the purposes of the Maine State Retirement System and the state employee health insurance program. Public Law 1995, chapter 502 established the Maine Potato Board as an incorporated public instrumentality of the State effective March 1, 1996. It authorized the board to become a participating local district of the Maine State Retirement System. However, admission to the system is permitted annually on July 1st, leaving in question the retirement benefits of board employees between March 1, 1996 and the date of admission of a participating local district into the retirement system. This bill proposed to clarify the retirement and health insurance status of the board's employees by making them state employees for the purposes of retirement and health insurance.

The bill also proposed to clarify that any funds received by the State Treasurer from the potato tax must be allocated to the Maine Potato Board by the Legislature.

Enacted law summary

Public Law 1995, chapter 702 provides that employees of the Maine Potato Board are considered state employees for the purposes of the Maine State Retirement System and the state employee health insurance program. The law also clarifies that any funds received by the State Treasurer from the potato tax must be allocated to the Maine Potato Board by the Legislature.

Chapter 702 was enacted as an emergency measure effective April 11, 1996.