

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

MEMBERS:

Sen. Marge L. Kilkelly, Chair

Sen. Judy Paradis

Sen. R. Leo Kieffer

Rep. George H. Bunker, Chair

Rep. Roland B. Samson

Rep. David C. Shiah

Rep. Paul Volenik

Rep. John L. Baker

Rep. Linda Rogers McKee

Rep. Ruel P. Cross

Rep. Edward L. Dexter

Rep. Walter R. Gooley

Rep. Priscilla Lane

Staff:

Jill Ippoliti, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*



Maine State Legislature

OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

LD 978 proposed allowing, but not requiring, the Department of Agriculture, Food and Rural Resources to grant multi-year licenses for a period of up to three years.

Committee Amendment "A" (H-160) proposes prohibiting the Department of Agriculture, Food and Rural Resources from requiring that licenses be issued for a period of up to three years. An applicant would have to agree to or request issuance for more than one year. It proposes language clarifying that the fee for multi-year licenses and registrations would be based on the annual fee. It also would require the Commissioner of Agriculture, Food and Rural Resources to report back to the Legislature by February 15, 2000 on the transition to multi-year licenses. It also proposed adding a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 454 authorizes the Department of Agriculture, Food and Rural Resources to issue licenses and registrations for a period of one, two, or three years. A license or registration for a period exceeding one year may only be issued with the agreement or at the request of the applicant. The fee for a two year license is two times the annual fee. The fee for a three year license is three times the annual fee. The Commissioner of Agriculture, Food and Rural Resources is required to report back to the Legislature by February 15, 2000 on the transition to multi-year licenses.

LD 1034 An Act to Provide Information to the Maine Land Use Regulation Commission PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL J RUHLIN	OTP-AM MAJ ONTP MIN	H-445

LD 1034 proposed requiring the Maine Land Use Regulation Commission be notified of any land division within its jurisdiction. The person creating the division would have been required to file a plan of the division with the commission and with the county registry of deeds.

Committee Amendment "A" (H-445) was the majority report of the committee. It proposed removing the requirement in the bill that information on land division be filed with the registry of deeds.

Enacted law summary

Public Law 1997, chapter 335 requires a person dividing land within the jurisdiction of the Maine Land Use Regulation Commission to notify the commission by filing a plan within 60 days of the division.

LD 1076 An Act to Increase the Civil Penalty for Cruelty to Animals PUBLIC 170

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUMPS	OTP-AM	H-214

LD 1076 proposed increasing fines for violations of certain laws governing cruelty to and mistreatment of animals and making those violations criminal violations. Under current law, certain violations of animal welfare laws may

be prosecuted as criminal violations or treated as civil violations. This bill would have required the following violations to be prosecuted as criminal violations; unlawful use of animals, failing to provide sustenance to an animal, failure to provide necessary medical attention to an animal, failure to provide shelter and clean conditions for an animal, and cruelty to animals. It also proposed imposing a duty on a veterinarian who knew or had reasonable cause to suspect that an animal was the subject of cruelty or neglect to report such knowledge or suspicion to the local law enforcement agency or animal control officer.

Committee Amendment "A" (H-214) proposed replacing the original bill. It proposed increasing the minimum fine from \$100 to \$250 for civil violations under the Maine Revised Statutes, Title 7, chapter 739, Cruelty to Animals.

Enacted law summary

Public Law 1997, chapter 170 increases the minimum fine from \$100 to \$250 for civil violations under the Maine Revised Statutes, Title 7, chapter 739, Cruelty to Animals.

LD 1078 An Act to Require Labeling on Genetically Engineered Food INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHARTRAND	OTP-AM MAJ	
NUTTING	ONTP MIN	

LD 1078 proposed requiring the labeling of genetically engineered food. A manufacturer or distributor who sold a genetically engineered food without the words “genetically engineered” on the invoice would be in violation of provisions prohibiting misbranded food. A manufacturer or distributor who sold a genetically engineered food without the words “genetically engineered” on the invoice would be in violation of provisions prohibiting misbranding of food. A retailer who sold or offered for sale a genetically engineered food without the prescribed label on packaged food or the sign next to food that is not packaged would be in violation of provisions prohibiting misbranding of food. The bill proposed a definition of genetically engineered food.

Committee Amendment "A" (H-394) was the majority report of the Committee and proposed replacing the original bill and it would have prohibited genetically engineered food from being labeled or advertised as organic or natural. The majority report was not adopted.

LD 1092 An Act to Provide Public Information on Forest Management Practices ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMSON	ONTP MAJ	
MILLS	OTP-AM MIN	

LD 1092 proposed making annual wood processing reports, forest landowner harvest reports and precommercial silvicultural practices reports available to the public. It also proposed requiring forest landowners to report additional information regarding the establishment of plantations.