

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
119TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE, CONSERVATION AND FORESTRY

JULY 1999

MEMBERS:

Sen. John M. Nutting, Chair
Sen. Marge L. Kilkelly
Sen. R. Leo Kieffer

Rep. Wendy Pieh, Chair
Rep. Paul Volenik
Rep. Elizabeth Watson
Rep. Scott W. Cowger
Rep. Rosita Gagne
Rep. Ruel P. Cross
Rep. Walter R. Gooley
Rep. Clifton E. Foster
Rep. Roderick W. Carr
Rep. Barry G. Gillis

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 NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

Committee Amendment "A" (H-94) proposed establishing a fund within the Bureau of Forestry to be used for grants to municipalities to plant and maintain disease-resistant cultivars of American elm and that the bureau develop a process to accept applications and award grants. It also proposed to add an allocation section and adds a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 98 establishes the Elm Tree Restoration Fund within the Bureau of Forestry to be used for grants to municipalities to plant and maintain disease-resistant cultivars of American elm. It authorizes the bureau to apply for and accept gifts and grants. It directs the bureau to develop a process to accept applications and award grants. It does not appropriate any General Fund dollars to this program but provides an initial allocation for dedicated revenue.

LD 705 **An Act to Prevent an Aggressive Dog from Doing Harm to People** **ONTP**

<u>Sponsor(s)</u> JONES	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
----------------------------	---------------------------------	---------------------------

LD 705 proposed provisions to declare a dog as a potentially dangerous dog and require to the owner or keeper to confine the dog. (See bill summary for LD 575)

LD 713 **An Act to Establish Mandatory Labeling for Genetically Engineered Foods** **INDEF PP**

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

LD 713 proposed requiring the labeling by retailers of genetically engineered food.

Committee Amendment "A" (H-490) was the majority report. It proposed amending the bill to require labeling only of “whole foods” that are genetically engineered foods, whole food meaning food that is unprocessed or minimally processed. It also proposed provisions for the voluntary labeling of foods that are not genetically engineered foods. This amendment also proposed to add a fiscal note to the bill. The majority report was not adopted.

LD 727 **An Act to Limit Publicly Owned Land** **ONTP**

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

LD 727 proposed limiting publicly owned land in this State to no more than 7% of the total land area of the State or 10% of the land area in any county.

Committee Amendment "A" (H-753) was the minority report of the committee. This amendment proposed to allow the State to continue ownership in excess of 10% in Piscataquis County, but it could not increase its acres of ownership. The amendment proposed a section headnote for the new provision and adding a fiscal note to the bill. The minority report was not accepted.

LD 736

An Act to Further Discourage the Field Theft of Wild Blueberries

PUBLIC 194

<u>Sponsor(s)</u> POVICH GOLDTHWAIT		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
---	--	--------------------------------	--	---------------------------

LD 736 proposed strengthening the laws concerning the illegal transportation of blueberries by extending responsibilities for issuing permits and record-keeping from owners to certified shippers or processors, limiting issuance of transportation permits to owners or owners' transportation agents and requiring the Wild Blueberry Commission of Maine to establish and administer the form and record-keeping requirements of transportation permits.

Enacted law summary

Public Law 1999, chapter 194 strengthens the laws concerning the illegal transportation of blueberries by extending liability from owners alone to any shipper or processor, limiting issuance of transportation permits to owners or owners' transportation agents and requiring the Wild Blueberry Commission of Maine to establish and administer the form and record-keeping requirements of transportation permits. The requirement for a transportation permit does not apply to shipments of wild blueberries that have been received by a shipper or processor, logged into a record-keeping system and reloaded into a vehicle for shipping under a bill of lading.

LD 742

An Act to Amend the Animal Welfare Laws

PUBLIC 254

<u>Sponsor(s)</u> BUMPS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-444
----------------------------	--	-----------------------------------	--	------------------------------------

LD 742 proposed strengthening enforcement capabilities of humane agents within the Department of Agriculture, Food and Rural Resources. It proposed enacting a definition of a "dangerous dog," and amending the enforcement procedures for dangerous dogs. It proposed establishing an education requirement for humane agents. It proposed requiring that rabies tags verifying immunization be worn by dogs. It proposed expanding the provision concerning damage by animals to include all animals, and increasing the violation for failure to appear in court for a 3rd time on a civil violation. It proposed a fee for submitting calf and pig scramble applications.

It proposed a new violation of animal cruelty laws for administering a substance that is a detriment to the animal's health to enhance the animal's performance. It proposed granting the court the ability to prohibit a person who commits a civil violation of cruelty to animals from owning an animal. It proposed allowing the court to increase an animal abuse violation from a Class C crime to a Class D crime if, in the opinion of the court, the act of cruelty warranted the greater penalty. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-444) proposed several changes to the bill including removing sections of the bill relating to dangerous dogs, making technical changes to the bill and adding a fiscal note. (See bill summary for LD 575)

Enacted law summary