

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.

LD 1565

Resolve, Directing the Maine Forest Service to Examine the Excessive Cutting of Mature Maple Trees

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROIS MACKINNON	ONTP	

LD 1565 proposed requiring the Department of Conservation, Maine Forest Service to examine the issue of the excessive cutting of mature maple trees and report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 1, 1999.

LD 1567

An Act to Help Farmers to Protect the Quality of Milk

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON DAVIS P		

LD 1567 proposed making the Department of Agriculture, Food and Rural Resources the arbitrator in disputes over milk test results and directing the department to establish by rule the tests appropriate for various aspects of milk quality testing.

LD 1642

An Act Regarding Equine Massage Therapy

ONTP

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

LD 1642 proposed allowing a person who is a certified or licensed equine massage therapist to perform massage therapy on horses. It proposed directing the Department of Agriculture, Food and Rural Resources to adopt rules regulating the education necessary to practice as an equine massage therapist.

LD 1654

An Act to Improve the Efficiency of Environmental Regulation in the Unorganized and Deorganized Areas of the State

PUBLIC 333

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY COWGER	OTP-AM	H-591 PIEH S-261

LD 1654 proposed eliminating redundancy in the permitting process between the Maine Land Use Regulation Commission and the Department of Environmental Protection.

Under provisions of this bill, large development projects that require extensive technical review would be regulated by the Department of Environmental Protection regardless of their location in the State. Within the unorganized and deorganized areas of the State, routine permitting decisions and all zoning considerations would be made by the Maine Land Use Regulation Commission. All activities governed by the natural resources protection laws, including the alteration of wetlands, would be regulated exclusively by the Maine Land Use Regulation Commission within the unorganized and deorganized areas of the State.

The bill also proposed modifying the membership requirements to serve on the Maine Land Use Regulation Commission. Rather than requiring that 4 members be residents of the commission's jurisdiction, the bill would require that all 7 members reside in, work in or have special knowledge of the needs and issues affecting the unorganized and deorganized areas of the State.

The bill proposed amending the process by which rezoning requests are approved by the commission and . expanding the requirements to maintain regional field offices for the benefit of residents of the unorganized and deorganized areas. It proposed extending the statutory time restrictions for certain actions by the commission. The bill also proposed many minor revisions to the statutes of the Maine Land Use Regulation Commission to delete or update obsolete language or unnecessary provisions and to clarify the commission's process for rulemaking and public hearings. This bill was submitted on behalf of the Department of Conversation.

Committee Amendment "A" (S-261) proposed removing provisions from the original bill that transferred certain regulatory review authority from LURC to the Department of Environmental Protection. It proposed modifications to the membership requirements to serve on the Maine Land Use Regulation Commission. It proposed requiring that all nominees to the commission have knowledge of the needs and issues affecting the unorganized and deorganized areas of the State, and that 2 members be residents of the commission's jurisdiction. It proposed shortening the time restrictions in the original bill. It proposed authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session regarding reassigning regulatory authority for LURC and the Department of Environmental Protection.

House Amendment "A" (H-591) corrects an omission in the committee amendment regarding criteria for amendment of land use district boundaries.

Enacted law summary

Public Law 1999, chapter 333 provides that all activities governed by the natural resources protection laws, including the alteration of wetlands, be regulated exclusively by the Maine Land Use Regulation Commission within the unorganized and deorganized areas of the State. It modifies the membership requirements to serve on the Maine Land Use Regulation Commission; requiring that all nominees to the commission have knowledge of the needs and issues affecting the unorganized and deorganized areas of the State, and that 2 members be residents of the commission's jurisdiction. It extends time restrictions imposed on certain actions by the commission. It makes many minor revisions to the statutes of the Maine Land Use Regulation Commission to delete or update obsolete language or unnecessary provisions and to clarify the commission's process for rulemaking and public hearings. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session regarding reassigning regulatory authority for LURC and the Department of Environmental Protection.

LD 1674 An Act to Exempt from Certain Regulations Crabmeat That Does Not CARRIED OVER
Cross State Lines

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS KILKELLY		

LD 1674 proposes exempting home-based crabmeat processors from any critical control point identification program administered by the Department of Agriculture, Food and Rural Resources pursuant to the United States Food and Drug Administration's seafood hazard analysis critical control point regulations as long as all the crabmeat processed by that person is sold for consumption in the State. The bill proposed requiring such crabmeat to be clearly labeled "Not for sale or consumption outside the State of Maine."