

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

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

JULY 2000

Staff:

Jill Ippoliti, Legislative Analyst

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

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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
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

- 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
- 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

A farm selected in the first phase must enter into a 5-year first farmland protection agreement in which the farmer agrees to protect the farmland from nonagricultural development. A farm selected under the second phase must enter into an additional 5-year farmland protection agreement. The 5-year period must run consecutively with the first farmland protection agreement. The farm may withdraw from the agreement at any point if the farmer repays the program for any outside service reimbursement and any direct services provided the farm by the program.

The Department of Agriculture, Food and Rural Resources is required to contract for the administration of the program through a competitive process. The department is responsible for executing and enforcing the farmland protection agreements. The organization receiving the contract is responsible for promoting the program to farms in the State, organizing the review panel, developing selection criteria for both phases of the program, administering the disbursement of funds, and making a yearly progress report on the program to the Legislature. Chapter 763 appropriates \$200,000 to capitalize the program and specifies that the organization selected to administer the program must provide a \$200,000 match.

LD 2295 **An Act to Clarify Granting Authority Under the Agricultural Development Grant Program** **PUBLIC 563**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J GOOLEY	OTP	

LD 2295 proposed allowing grants for technical assistance as one category of grants available under the Maine Revised Statutes, Title 7, section 436. This category of grants was inadvertently deleted in Public Law 1999, chapter 72.

Enacted law summary

Public Law 1999, chapter 563 allows grants for technical assistance as one category of grants funded from interest on the balance of the Agricultural Marketing Loan Fund.

LD 2306 **An Act to Amend the Animal Welfare Laws** **PUBLIC 597**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER	OTP-AM MAJ ONTP MIN	H-834

LD 2306 proposed amending the late fee for licensing a dog from \$3 to \$10. It also proposed amending the procedures for euthanizing stray dogs by allowing an authorized municipal agent to authorize in writing the euthanasia of severely sick, severely injured or extremely vicious dogs.

This bill also proposed removing the discretion of the court to order psychiatric or psychological counseling at the defendant's expense in matters involving cruelty to animals.

Committee Amendment “A” (H-834) proposed removing the section of the bill that proposed to amend provisions for euthanasia of stray dogs. It also proposed changing the late fee for dog licensing from the

current late fee of \$3 to \$5 for municipalities that do not issue a warrant and clarified that, in municipalities that do issue late warrants, the late fee for dog licensing is \$10. It proposed removing language allowing the court to order a psychological evaluation for a person who violates the civil laws regarding cruelty to animals.

Enacted law summary

Public Law 1999, chapter 597 changes the late fee for dog licensing from the current late fee of \$3 to \$5 for municipalities that do not issue a warrant and clarifies that, in municipalities that do issue late warrants, the late fee for dog licensing is \$10. It also removes statutory language allowing the court to order a psychological evaluation for a person who violates the civil laws regarding cruelty to animals.

LD 2313 An Act to Increase the Rate of Pay for Forest Fire Wardens

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u> FERGUSON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-520
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LD 2313 increases the rate of pay for forest fire wardens to \$500 per year from \$100 per year.

Committee Amendment "A" (S-520) proposed replacing the original bill. It proposed providing for a forest fire warden to be paid not less than \$100 nor more than \$500, with the amount determined by the warden's completion of specified training and duties.

**LD 2340 An Act to Specify Eligibility for Land Purchases Under the
Agricultural Marketing Loan Fund**

PUBLIC 593

<u>Sponsor(s)</u> CROSS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-833
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LD 2340 proposed specifying the types of land purchases eligible for a loan under the Agricultural Marketing Loan Fund.

Enacted law summary

Public Law 1999, chapter 593 specifies the types of land purchases eligible for an agricultural marketing loan. An agricultural marketing loan may be used to purchase new cranberry acreage, land to provide direct access to water for irrigation, land for the start-up of a new agricultural enterprise and the expansion of an existing agricultural enterprise when the land purchase is necessary to comply with land use regulations. It restricts the amount of a loan for a land purchase by a new agricultural enterprise to \$100,000.