

# 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**

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**Staff:**

*Jill Ippoliti, Legislative Analyst*

*Office of Policy and Legal Analysis  
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**  
**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](http://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

***Enacted law summary***

Resolve 1999, chapter 92 authorizes final adoption of Rules Governing the Licensing and Inspection of Farm Cheese, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Resolve 1999, chapter 92 was finally passed as an emergency measure effective March 15, 2000.

**LD 2532**

**An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program**

**PUBLIC 769**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-548 S-761 MICHAUD

LD 2532 proposed requiring that a minimum of \$1,000,000 be available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged primarily in direct marketing. It proposed funding up to 50% of the cost of developing a business plan for an agricultural enterprise applying for a project loan under the Agricultural Marketing Loan Fund program.

It proposed several measures to assess and increase the consumption of locally grown food. It proposed allowing proceeds from the Land for Maine's Future Fund to be used for developing a business plan and capital improvements to farmland when interest in the farmland has been acquired through the Land for Maine's Future Fund.

It proposed authorizing legislation during the 120th Legislature to update and revise provisions in Title 7 regarding agricultural internship and training, agricultural awareness, purchasing of food by state institutions and in-state marketing of food produced in Maine. This bill proposed appropriating \$60,000 to the Department of Agriculture, Food and Rural Resources to assist in developing data regarding food consumption and support activities to increase sales of locally grown food.

**Committee Amendment "A" (S-548)** proposed clarifications to the original bill. It also proposed reducing the appropriation to \$20,000 and lowering the limit on funds available for developing a business plan.

**Senate Amendment "A" (S-761)** clarifies that the appropriation is one-time funding and allocates funds to the Maine Milk Commission to be used for dues associated with membership in the Northeast States Association for Agricultural Stewardship.

***Enacted law summary***

Public Law 1999, chapter 769 requires that a minimum of \$1,000,000 be available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged primarily in direct marketing. These loans may be for traditional equipment and other capital expenses. The requirement that the commissioner make available \$1,000,000 for these projects is repealed December 31, 2002. Chapter 769 specifies circumstances under which the Agricultural Marketing Loan Fund may be used to help fund the cost of developing a business plan for an agricultural enterprise applying for a project loan under the Agricultural Marketing Loan Fund program and sets limits on the amount of funding for the business plan.

Chapter 769 directs the Commissioner of Agriculture, Food and Rural Resources to develop information on the sources of Maine's food supply and to take actions to increase the production and sale of in-state foods. It directs the Commissioner of Agriculture, Food and Rural Resources to provide assistance to farmers' markets. It authorizes the joint standing committee of the Legislature having jurisdiction over agricultural matters to report out legislation during the 120th Legislature to update and revise provisions in Title 7 regarding agricultural internship and training, agricultural awareness, purchasing of food by state institutions and in-state marketing of food produced in Maine. It appropriates \$20,000 to the Department of Agriculture, Food and Rural Resources to assist in developing data regarding food consumption and support activities to increase sales of locally grown food.

Chapter 769 allows proceeds from the Land for Maine's Future Fund to be used for developing a business plan and capital improvements to farmland when interest in the farmland has been acquired through the Land for Maine's Future Fund.

**LD 2544**                      **Resolve, Regarding Legislative Review of Chapter 267: License Fees to Sell Nursery Stock, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources**                      **RESOLVE 93 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2544 proposed legislative review of Chapter 267: License Fees to Sell Nursery Stock, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

***Enacted law summary***

Resolve 1999, chapter 93 authorizes final adoption of Chapter 267: License Fees to Sell Nursery Stock, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Resolve 1999, chapter 93 was finally passed as an emergency measure effective March 29, 2000.

**LD 2594**                      **An Act Regarding Forest Practices**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 2594 is a citizens' initiated bill. It proposes limits on timber harvesting on land enrolled under the Maine Tree Growth Tax Law. The harvesting limits proposed would restrict total cutting and cutting for each species group to sustainable cutting levels for any rolling 10-year average, i.e. harvesting could not exceed growth.

The bill proposes requiring a landowner to obtain a permit from the Maine Forest Service prior to undertaking harvesting activities that will result in a clear-cut. Prior to issuing a permit for a clear-cut, the Maine Forest Service would need to determine that the clear-cut is silviculturally justified, that there are