

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

July 2003

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Richard Kneeland
Sen. Edward M. Youngblood*

*Rep. Linda Rogers McKee, Chair
Rep. Jacqueline A. Lundeen
Rep. Raymond G. Pineau
Rep. John F. Piotti
Rep. Nancy E. Smith
Rep. Roderick W. Carr
Rep. Ken Honey
Rep. Kenneth C. Fletcher
Rep. Eugene L. Churchill
Rep. John Eder*

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 319

An Act to Reenact Standards for Road Construction for Forest Management Activities

PUBLIC 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR KNEELAND	OTP	

LD 319 proposed enacting language concerning permit by rule for road construction or maintenance that was repealed on August 1, 2002.

Enacted Law Summary

Public Law 2003, chapter 23 reenacts the permit by rule provision for road construction or maintenance associated with forest management activities that was repealed on August 1, 2002. For an eligible activity, the permit by rule is effective upon receipt by the Department of Environmental Protection of a completed notification form.

LD 327

Resolve, Requiring the Department of Agriculture, Food and Rural Resources To Adopt Rules Regarding Care and Treatment of Elephants

RESOLVE 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON MCKEE	ONTP MAJ OTP-AM MIN	S-120 PENDLETON S-85

LD 327 proposed prohibiting a person from making available an elephant for use in a traveling exhibition or for the purpose of allowing an individual to ride, feed or have other physical contact not related to the care of the elephant.

Committee Amendment "A" (S-85), which was the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry, proposed to replace the original bill. It proposed allowing elephants to enter the state with traveling exhibitions but imposed certain conditions relating to the care of elephants and requiring an itinerary to be filed with the Department of Agriculture, Food and Rural Resources. It proposed prohibiting a person owning or having control of an elephant from allowing a member of the public to ride an elephant; and proposed penalties for violation of the laws pertaining specifically to elephants.

Senate Amendment "A" to Committee Amendment "A" (S-120) proposed striking the committee amendment and requiring the Department of Agriculture, Food and Rural Resources to adopt routine technical rules regarding the care and treatment of elephants based on standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

Enacted Law Summary

Resolve 2003, chapter 41 requires the Department of Agriculture, Food and Rural Resources to adopt routine technical rules regarding the care and treatment of elephants based on standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture.

LD 338 **An Act to Stabilize the Maine Dairy Industry** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON MCKEE		

LD 338 proposes direct subsidy payments to the State's dairy farmers through the Maine Milk Pool when the basic price of milk at the farm falls below the average short-term cost of milk production in the State as determined by studies performed for the Maine Milk Commission. The bill proposes a supplemental appropriation of \$5,500,000 for this purpose in fiscal year 2002-03.

LD 348 **An Act To Limit State Land Ownership** **ONTP**

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

LD 348 proposed to limit publicly owned land in the State to no more than 20% of the total land area of the State or 33% of the land area in any county. The bill would have allowed the State to exceed the limit with the approval of 2/3 of the Legislature.

LD 360 **An Act To Strengthen the Animal Control Laws** **PUBLIC 71**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON	OTP-AM	H-60

LD 360 proposed increasing the minimum and maximum allowable fines for violation of the uncontrolled dogs laws. The bill also proposed a minimum fine of \$250 for keeping a dangerous dog.

Committee Amendment "A" (H-60) proposed removing the section of the bill, which proposed increasing the fine for violation of the uncontrolled dog laws and amending the penalty for keeping a dangerous dog to specify that a fine is mandatory and may not be suspended.

Enacted Law Summary

Public Law 2003, chapter 71 adds a mandatory minimum fine of \$250 for keeping a dangerous dog and specifies that the fine may not be suspended. The maximum fine for keeping a dangerous dog is \$1,000, plus costs.