

# 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](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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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

***Enacted Law Summary***

Public Law 2003, chapter 120 allows money in the Agricultural Marketing Loan Fund to be used as security for, and to be applied to, payment of principal, interest and other amounts due on loans insured by the Finance Authority of Maine to eligible dairy farmers. It allows the Commissioner of Agriculture, Food and Rural Resources to use the Agricultural Marketing Loan Fund to provide additional financial assistance to dairy farmers. It transfers certain savings in other accounts within the department to the Maine Milk Commission for distribution to Maine milk producers. It provides for direct subsidy payments to the State's dairy farmers through the Maine Milk Pool in the event that the base price for milk falls below \$16.94 in any of the months from September 2003 to December 2003. The amount distributed during this period may not exceed \$3,000,000. The Governor is directed to seek a general fund appropriation in the second session of the 121<sup>st</sup> Legislature if needed for the distributions.

Public Law 2003, chapter 120 was enacted as an emergency measure effective May 9, 2003.

**LD 1398**

**An Act To Modify Water Well Reporting Requirements**

**PUBLIC 175**

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

LD 1398 proposed to make the definition of the entity responsible for submitting water well information to the State consistent with other laws. It proposed to reduce the time allowed for a company to submit the information from 6 months to 30 days.

***Enacted Law Summary***

Public Law 2003, chapter 175 enacts a definition of “well drilling company” in Title 12 and makes a well drilling company the entity responsible for submitting water well information to the State. It reduces the time allowed for the company to submit the information from 6 months to 30 days, which is consistent with the time required by the Maine Water Well Commission.

**LD 1400**

**An Act To Amend the Maine Pesticide Control Act of 1975 To Increase the Pesticide Product Registration Fee**

**PUBLIC 282**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BRYANT	OTP-AM	H-339

LD 1400 proposed an increase in the annual pesticide registration fee from \$115 to \$125 per product. Fees would go into the dedicated Pesticide Control Fund.

**Committee Amendment "A" (H-339)** proposed adding a fiscal note to the bill.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**Enacted Law Summary**

Public Law 2003, chapter 282 increases the annual pesticide registration fee from \$115 to \$125 per product, to help fund the increased costs of salaries and benefits for staff to the Board of Pesticide Control.

**LD 1407**                      **An Act To Clarify the Timber Harvesting Notification Requirements**                      **PUBLIC 345**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	OTP      MAJ	H-385 TRAHAN
PINEAU	ONTP     MIN	

LD 1407 proposed eliminating an exemption to the harvest notification requirement. Under current law a landowner does not have to notify the Bureau of Forestry of a harvest when the total area harvested on land owned by that landowner does not exceed either 2 or 5 acres, depending on the residual basal area of acceptable growing stock. The bill proposed to repeal this exemption.

**House Amendment "A" (H-385)** proposed instead to retain the exemption when the landowner qualifying for the exemption performs the harvesting.

**Enacted Law Summary**

Public Law 2003, chapter 345 amends the provisions for harvest notification to specify that the exemptions for certain 2 and 5 acres harvests apply only when the landowner performs the harvest.

**LD 1430**                      **An Act To Improve Farmer Participation in the Agricultural Marketing Loan Fund**                      **PUBLIC 168**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINEAU	OTP	
YOUNGBLOOD		

LD 1430 proposed changes to the provisions for obtaining a loan from the Agricultural Marketing Loan Fund administered by the Commissioner of Agriculture, Food and Rural Resources and the Finance Authority of Maine.

**Enacted Law Summary**

Public Law 2003, chapter 168 reduces the percentage of private funds needed to be eligible for a loan from the Agricultural Marketing Loan Fund from 10% to 5% of the total project cost. It increases the amount of project costs that may be covered by the State. It also directs the Commissioner of Agriculture, Food and Rural Resources to make a minimum of \$1,000,000 available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged in direct marketing. A similar provision was repealed December 31, 2002. The newly enacted provision has a repeal date of December 31, 2004.