

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 1583

An Act Concerning the Animal Health and Disease Control Laws

PUBLIC 386

<u>Sponsor(s)</u> BRYANT PIOTTI	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-187
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LD 1583 proposed making administrative and technical changes to importation requirements for certain livestock. It proposed changes and clarifications in the standards for the licensing of deer and elk (cervid) farms. It proposed requiring the Commissioner of Agriculture, Food and Rural Resources to develop a chronic wasting disease surveillance program and a cattle health assurance program.

Committee Amendment "A" (S-187) proposed several technical changes and rewriting certain provisions in the bill for clarification. It proposed deleting language in the bill proposing fencing a minimum of 6 feet in height as the containment standard for large game shooting areas.

Enacted Law Summary

Public Law 2003, chapter 386 requires the Commissioner of Agriculture, Food and Rural Resources to develop a cattle health assurance program including an assessment plan for on-site evaluation of farms. It requires the commissioner to adopt routine technical rules for the administration of this program. It updates and clarifies standards for the licensing of deer and elk (cervid) farms. It requires the commissioner to develop a chronic wasting disease surveillance program.

LD 1616

An Act To Promote Stewardship of Forest Resources

PUBLIC 422

<u>Sponsor(s)</u> COLWELL BRYANT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-512
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LD 1616 proposed a definition of "liquidation harvesting". It proposed requiring the Commissioner of Conservation to provisionally adopt major substantive rules substantially prohibiting liquidation harvesting and to develop recommendations for additional solutions to address liquidation harvesting. It proposed requiring the Department of Conservation to provide a final report no later than January 2, 2004 to the Joint Standing Committee on Agriculture, Conservation and Forestry and authorizing the committee to report out a bill to the Second Regular Session of the 121st Legislature to implement the recommendations in the report.

Committee Amendment "A" (H-512) proposed requiring the Commissioner of Conservation to submit the provisionally adopted rules to the Legislature by February 1, 2004, the same date by which provisional adoption is required. It proposed directing the commissioner to seek input from logging professionals and representatives of financial institutions in addition to other parties specified in the bill.

Enacted Law Summary

Public Law 2003, chapter 422 defines "liquidation harvesting" and requires the Commissioner of Conservation to provisionally adopt major substantive rules to substantially eliminate liquidation harvesting. The rule must be

submitted to the Legislature by February 1, 2004. Chapter 422 specifies that the rule include appropriate exemptions for harvests covering small acreages, permitted land conversions and for land managed under an independent 3-rd party certification for sustainable forest management. It also requires the Commissioner of Conservation to solicit input from interested parties in developing recommendations for additional solutions to the issue of liquidation harvesting. It requires the Department of Conservation to provide a final report no later than January 2, 2004 to the Joint Standing Committee on Agriculture, Conservation and Forestry and authorizes the committee to report out a bill to the Second Regular Session of the 121st Legislature to implement the recommendations in the report.

HP 724 **JOINT STUDY ORDER – The Joint Standing Committee on ACF** **PASSED**
shall conduct a study of New Payment Models for the Logging
Industry

<u>Sponsor(s)</u> JACKSON	<u>Committee Report</u> OTP	<u>Amendments Adopted</u> S-263
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Enacted Law Summary

House Paper 724 directs the Joint Standing Committee on Agriculture, Conservation and Forestry to conduct a study during authorized interim committee meetings on new payments models for the logging industry. More specifically, the committee is directed to examine how logging contractors and their employees are paid, the impact of public policies on forest management, and state labor and educational policies pertaining to logger apprenticeship programs. The committee is required to submit a report, including any legislation necessary to implement recommendations, to the Legislature no later than December 3, 2003.

SP 586 **JOINT ORDER – Directing the Office of Policy & Legal Analysis** **PASSED**
and the Office of the Revisor of Statutes to Recodify MRSA, Title 7

<u>Sponsor(s)</u> BRYANT	<u>Committee Report</u>	<u>Amendments Adopted</u>
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Enacted Law Summary

Senate Paper 586 directs the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to prepare a bill that proposes the recodification of Maine Revised Statutes, Title 7. Title 7 contains laws relating to agriculture and animals. The offices are directed to reorganize the laws in Title 7, eliminate archaic terms and confusing language, update cross references and make technical changes to improve the readability and accessibility of the Title. The offices are directed to submit the proposed recodification bill to the joint standing committee having jurisdiction over agricultural matters no later than January 15, 2005.