

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

May 2004

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. Eugene L. Churchill
Rep. Kenneth C. Fletcher*

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
Second Regular Session and
Second Special 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/billsumm.htm).

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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1902

An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Review of Agencies under the State Government Evaluation Act

PUBLIC 578

Sponsor(s)

Committee Report

Amendments Adopted

LD 1902 proposed legislation developed by the Joint Standing Committee on Agriculture, Conservation and Forestry during its review of the Department of Agriculture, Food and Rural Resources and the Baxter State Park Authority under the Government Evaluation Act.

Enacted Law Summary

Public Law 2003, chapter 578 is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry upon completion of review of agencies submitting Government Evaluation Reports to the 121st Legislature. Chapter 578 establishes future report dates for agencies reviewed by the committee this session and deletes a reference to the recently abolished State Soil and Water Conservation Commission. It also does the following:

1. It removes employees of the Department of Agriculture, Food and Rural Resources from the Pull Events Commission and provides for the agricultural fair coordinator within the department to serve as secretary to the commission.
2. It establishes a separate dedicated account to receive seed certification and inspection fees and other funds received in support of a state seed certification and inspection program.
3. It allows loans from the Agricultural Marketing Loan Fund to be used to improve pastureland.
4. It directs the Baxter State Park Authority to report in 2006 to the joint standing committee of the Legislature having jurisdiction over parks and public lands on the implementation of the rolling reservation system for Baxter State Park.

LD 1942

Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands

RESOLVE 137

Sponsor(s)

BRYANT
HATCH PR

Committee Report

OTP-AM

Amendments Adopted

S-508

LD 1942 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey property or interests in property at 6 locations described in the resolve.

Committee Amendment "A" (S-508) proposed revising language in the resolve that authorized conveyance of lots on First Roach Pond to correct the name of the association of leaseholders, better describe and identify the lots and allow the transfer to either the First Roach Pond Leaseholders Coalition or its individual members. It proposed

Joint Standing Committee on Agriculture, Conservation and Forestry

directing the Director of the Bureau of Parks and Lands within the Department of Conservation to take action to ensure continuing public access to the campground lot retained by the State if that portion of the Frenchtown Road used to access the campground is discontinued as a county road.

The amendment also proposed removing a section from the resolve, which proposed authorizing the transfer of land in Skowhegan known as the Yankee Woodlot to the Somerset County Commissioners for the purpose of constructing a new jail.

Enacted Law Summary

Resolve 2003, chapter 137 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey property at 5 locations. The transfers authorized include; 1.5 miles of road to the Town of Winterville in Aroostook County, lots on First Roach Pond in Piscataquis County to the First Roach Pond Leaseholders Coalition or individual members of the coalition, 25 acres in Lynchtown Township in Oxford County to the Bosebuck Mountain Club, Inc., a 45 acre parcel of land in Little Moose Township to the Town of Greenville, and a lot in Corinna to the Town of Corinna. Any proceeds from the sale of land must be used to purchase additional land in the same county.

LD 1945

An Act To Encourage the Future of Maine's Dairy Industry

**PUBLIC 648
EMERGENCY**

Sponsor(s)
PIOTTI
BRYANT

Committee Report
OTP-AM

Amendments Adopted
H-883

LD 1945 proposed to create 2 programs of assistance to support the prices paid to Maine dairy farmers for their milk, based on the recommendations of the Governor's Task Force on the Sustainability of the Dairy Industry in Maine.

Committee Amendment "A" (H-883) proposed replacing the bill to clarify provisions establishing 2 price support programs. It also proposed removing the repeal provisions in the bill and instead authorizing the joint standing committee of the Legislature having jurisdiction over agricultural matters to report out a bill to implement the committee's recommendations after its review of each program. The amendment proposed allowing funds previously allocated to the Maine Milk Commission for distribution to dairy farmers to be distributed under the new programs in fiscal year 2004-05.

Enacted Law Summary

Public Law 2003, chapter 648 establishes 2 programs to stabilize the prices paid to dairy farmers for their milk. Under the tiered program a target price is established for each of three levels of production to reflect short-run break-even points within each tier. Payments are distributed for each month in which the base price was less than the target price. The second payment program, the Maine Milk Income Loss Contract, provides for payments to Maine dairy farmers whose annual production exceeds the cap under the federal Milk Income Loss Contract. These farmers are eligible to receive a payment for production over the federal cap until annual production reaches 5,000,000 pounds.