

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Agriculture, Conservation and Forestry*

August 2005

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Agriculture, Conservation and Forestry

tests for livestock or poultry diseases performed on samples submitted to or obtained by the Commissioner of Agriculture, Food and Rural Resources and any information reported to the department pertaining to diseases among livestock and poultry within the State.

Committee Amendment "A" (H-305) proposed removing the section in the bill that proposed making confidential certain records relating to animal testing and disease. It proposed clarifying that the Commissioner of Agriculture, Food and Rural Resources can accept private and public funds for deposit into the State of Maine Animal Response Team Fund and clarifying for what purpose the fund may be used.

Enacted law summary

Public Law 2005, chapter 146 establishes the State of Maine Animal Response Team to prepare for and respond to emergencies and disease outbreaks involving animals and the State of Maine Animal Response Team Fund.

LD 1126 **Resolve, To Examine the Nontherapeutic Use of Antibiotics** **RESOLVE 82**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER PIOTTI	OTP-AM	S-250

LD 1126 proposed including a policy statement in Maine statutes to discourage the nontherapeutic use of antibiotics in animals raised for food. It proposed requiring persons purchasing meat for Maine state institutions and Maine schools to notify brokers or wholesalers of this policy and to give preference to those who can supply meat from animals that have not been given antibiotics for other than therapeutic reasons.

Committee Amendment "A" (S-250) proposed changing the bill to a resolve. It proposed directing the Commissioner of Agriculture, Food and Rural Resources and the Director of the Bureau of Health within the Department of Health and Human Services to examine issues pertaining to the use of antibiotics in human medicine and animal agriculture.

Enacted law summary

Resolve 2005, chapter 82 directs the Commissioner of Agriculture, Food and Rural Resources and the Director of the Bureau of Health within the Department of Health and Human Services in consultation with a study group to examine issues pertaining to the use of antibiotics in human medicine and animal agriculture. It requires a report to legislative committees in January 2006 and authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Health and Human Services to report out legislation to the Second Regular Session of the 122nd Legislature.

LD 1224 **Resolve, Establishing a Study Committee To Examine Methods To Assist the Potato Industry** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON BRYANT B	ONTP	

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1224 proposed a concept draft of a resolve to establish a study committee to examine methods to assist the potato industry.

LD 1256 **An Act To Ensure Public Awareness of Pesticide Applications** **ONTP**

<u>Sponsor(s)</u> STRIMLING DAVIS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1256 proposed requiring persons certified to apply pesticides to provide written notice of pesticide application to the Board of Pesticides Control concerning the type and amount of pesticide and the time and place of application. It proposed requiring the board to then make that information easily available to the public.

LD 1309 **An Act To Exempt Agricultural Guard Dogs and Herding Dogs from the Barking Dog Ordinances** **PUBLIC 138**

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-331
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LD 1309 proposed exempting agricultural guard dogs and dogs used for herding livestock from barking dog ordinances.

Committee Amendment "A" (H-331) proposed language to clarify that agricultural guard dogs and herding dogs when working are exempt from municipal ordinances prohibiting or limiting barking.

Enacted law summary

Public Law 2005, chapter 138 exempts dogs engaged in guarding livestock or herding livestock from municipal ordinances prohibiting or limiting barking.

LD 1368 **An Act To Protect Small Forest Landowners** **PUBLIC 358**

<u>Sponsor(s)</u> CARR		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-629
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LD 1368 proposed providing confidentiality for forest management plans and documentation of forest management activities on private forest lands, when such documentation is held by the Department of Conservation, Bureau of Forestry for the purpose of administering landowner assistance programs. It also proposed making confidential the addresses, telephone numbers and electronic mail addresses of forest landowners owning less than 1,000 acres statewide and contained in harvest notifications and reports of assessors to the Bureau of Forestry.