

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2007, chapter 211 was enacted as an emergency measure effective June 4, 2007.

LD 1419 An Act To Implement the Recommendations of the Allagash Wilderness Waterway Working Group

**PUBLIC 146
EMERGENCY**

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

LD 1419 establishes an independent advisory council to represent the public interest in the Allagash Wilderness Waterway and to provide counsel to the manager of the waterway and the Director of the Bureau of Parks and Lands within the Department of Conservation. The bill elevates the status of the waterway in the department by making it a separate region within the bureau. It creates an endowment fund to support capital acquisitions and improvements, historic, cultural and educational programs and facilities. The bill requires an annual report by the Commissioner of Conservation to the Legislature.

Committee Amendment "A" (S-60)

This amendment requires the Director of the Bureau of Parks and Lands within the Department of Conservation to create technical committees as needed to advance the Allagash Wilderness Waterway's purposes. It specifies March 1st as the date by which the annual report on the Allagash Wilderness Waterway must be submitted to the joint standing committee of the Legislature having jurisdiction over conservation matters. It specifies that funds may not be accepted for deposit in the endowment fund with any encumbrances or stipulations by the donor on how those funds may be used.

Enacted Law Summary

Public Law 2007, chapter 146 establishes an independent advisory council to represent the public interest in the Allagash Wilderness Waterway and to provide counsel to the manager of the waterway and the Director of the Bureau of Parks and Lands within the Department of Conservation. It creates an endowment fund to support capital acquisitions and improvements, historic, cultural and educational programs and facilities. It requires an annual report be submitted to the joint standing committee having jurisdiction over conservation matters by March 1st.

Public Law 2007, chapter 146 was enacted as an emergency measure effective May 21, 2007.

LD 1447 Resolve, Directing the Department of Agriculture, Food and Rural Resources To Study Invasive Terrestrial Plant Species

RESOLVE 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD MCCORMICK	OTP-AM	H-91

LD 1447 directs the Commissioner of Agriculture, Food and Rural Resources to convene a stakeholder group to develop processes and criteria to assess the danger posed to naturally occurring ecosystems by invasive terrestrial plant species and to determine which invasive plant species are of significant concern. The resolve directs the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 8, 2008. The committee is authorized to submit legislation to the 2nd Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-91)

This amendment clarifies that the Department of Agriculture, Food and Rural Resources is being directed to determine if some form of restriction on trade of plants identified as "invasive terrestrial plants" is warranted.

Joint Standing Committee on Agriculture, Conservation and Forestry

Enacted Law Summary

Resolve 2007, chapter 21 requires the Commissioner of Agriculture, Food and Rural Resources to convene a stakeholder group to develop processes and criteria to assess the danger posed to naturally occurring ecosystems by invasive terrestrial plant species and to determine if restriction on trade is warranted for any of the species identified as invasive terrestrial plants. The commissioner is required to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by February 8, 2008. The committee is authorized to submit legislation to the 2nd Regular Session of the 123rd Legislature.

LD 1468 An Act To Adjust the Milk Handling Fee

**PUBLIC 269
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI	OTP-AM	H-306

LD 1468 increases the maximum rate of the milk handling fee from 12¢ to 36¢ per gallon.

Committee Amendment "A" (H-306)

This amendment makes revisions to the rate schedule proposed in the bill. The bill proposed a minimum handling fee of 6 cents per gallon. The amendment proposes that a handling fee of 2¢ be initiated when the basic price of milk drops below \$24 per hundredweight. The bill proposed a handling fee of 36¢ when the basic price of milk dropped below \$16 per hundredweight. The amendment proposes a handling fee of 36¢ a gallon when the basic price of milk is between \$15 and \$15.49 per hundredweight. The handling fee would increase by 6¢ per gallon for every 50¢ decrease in the basic price of milk below \$15 per hundredweight. This amendment also makes the bill an emergency measure.

Enacted Law Summary

Public Law 2007, chapter 269 revises the rate schedule for the milk handling fee. A handling fee of 2¢ is initiated when the basic price of milk drops below \$24 per hundredweight. A handling fee of 36¢ a gallon is imposed when the basic price of milk is between \$15 and \$15.49 per hundredweight. The handling fee increases by 6¢ per gallon for every 50¢ decrease in the basic price of milk below \$15 per hundredweight. Identical revisions to the milk handling fee were included in Part PPP of the biennial budget enacted as Public Law 2007, chapter 240.

Public Law 2007, chapter 269 was enacted as an emergency measure effective June 4, 2007.

LD 1615 An Act To Amend the Animal Welfare Laws

PUBLIC 439

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP-AM	H-567 S-373 ROTUNDO

LD 1615 amends many statutes relating to the administration and enforcement of laws pertaining to animal welfare and animal control. The bill also includes provisions to establishes 56 days as the minimum age that a dog or cat may be sold, adopted or given away and to require that animal shelters and rescue groups spay or neuter any dog or cat prior to adoption or make formal arrangements for the altering of the animal within 30 days of adoption.

Committee Amendment "A" (H-567)