

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH 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 124th Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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

This bill is a concept draft that proposes to allocate prospective federal funding to support the State's dairy industry. This bill was carried over to any special or regular session of the 124th Legislature pursuant to joint order, H.P. 1053.

LD 674 An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Agriculture, Conservation and Forestry **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	ONTP MAJ OTP-AM MIN	

This bill deallocates Other Special Revenue Funds of \$109,866 in fiscal year 2009-10 and \$151,719 in fiscal year 2010-11 and eliminates 2 Public Service Coordinator I positions. It also includes General Fund deappropriations of \$82,238 in fiscal year 2009-10 and \$113,473 in fiscal year 2010-11 made possible by eliminating a Public Service Manager III position.

Committee Amendment "A" (S-71)

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. The amendment eliminates one instead of 2 Public Service Coordinator positions. The amendment corrects figures for the Public Service Manager III position.

LD 687 Resolve, To Authorize the Department of Conservation To Place Priority on Access to Certain Prominent Water Bodies under the Land for Maine's Future Fund **Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P		

This resolve requires the Department of Conservation to give priority under the Land for Maine's Future Fund to acquire, support and maintain public access to swift rivers and great ponds. Authority is granted to the department to use eminent domain, as necessary, to acquire and maintain access to key launching points on the Dead River and the Kennebec River. This bill was carried over to any special session or regular session of the 124th Legislature by joint order, H.P. 1053.

LD 692 Resolve, Directing the Commissioner of Agriculture, Food and Rural Resources To Develop Best Management Practices for Poultry Production **RESOLVE 63**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-127

Joint Standing Committee on Agriculture, Conservation and Forestry

This resolve directs the Commissioner of Agriculture, Food and Rural Resources to develop best management practices for poultry production and adopt rules to allow the Maine quality trademark to be used on poultry products.

Committee Amendment "A" (S-127)

This amendment revises the directive for the Commissioner of Agriculture, Food and Rural Resources to focus on the development of best management practices for facilities with more than 10,000 birds. It designates the rules to establish standards as major substantive rules. It also directs the Commissioner of Agriculture, Food and Rural Resources to explore the potential use of the Maine quality trademark on poultry products.

Enacted Law Summary

Resolve 2009, chapter 63 requires the Commissioner of Agriculture, Food and Rural Resources to develop best management practices for facilities with more than 10,000 birds. It designates the rules to establish standards as major substantive rules. It also directs the Commissioner of Agriculture, Food and Rural Resources to explore the potential use of the Maine quality trademark on poultry products.

LD 708 An Act To Create a Moratorium on the Open-air Production of Genetically Engineered Pharmaceutical Crops in Maine

PUBLIC 388

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRATT	OTP-AM MAJ ONTP MIN	H-386

This bill defines "pharmaceutical or industrial crop" and restricts production to indoor laboratory and research settings to prevent release of genetically engineered material from these crops. It requires the Commissioner of Agriculture, Food and Rural Resources to monitor and report changes in the federal regulation of these crops.

Committee Amendment "A" (H-386)

This amendment adds an automatic repeal of the restrictions on the production of pharmaceutical or industrial crops on July 1, 2012.

Enacted Law Summary

Public Law 2009, chapter 388 restricts production of "pharmaceutical or industrial crop" to indoor laboratory and research settings to prevent release of genetically engineered material from these crops. This restriction is repealed July 1, 2012. Chapter 388 also requires the Commissioner of Agriculture, Food and Rural Resources to monitor and report changes in the federal regulation of these crops.

LD 804 An Act To Ensure the Integrity of Organic Agricultural Crops

ONTP

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

This bill requires all producers engaged in organic crop production to file an organic system plan within 30 days of planting. The plan must include evidence that sufficient buffer zones are incorporated into the operation to ensure the integrity of the organic crop operation. If the Commissioner of Agriculture, Food and Rural Resources finds that