

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. JOHN M. NUTTING, CHAIR
SEN. BRUCE S. BRYANT
SEN. ROGER L. SHERMAN

REP. WENDY PIEH, CHAIR
REP. NANCY E. SMITH
REP. BENJAMIN MARRINER PRATT
REP. LEILA J. PERCY
REP. PETER S. KENT
REP. JEFF M. MCCABE
REP. ANDREW ROESING O'BRIEN
REP. PETER E. EDGECOMB
REP. DEAN A. CRAY
REP. JEFFERY ALLEN GIFFORD

STAFF:

JILL IPPOLITI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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 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

Joint Standing Committee on Agriculture, Conservation and Forestry

an organic system plan does not provide evidence of sound measures to ensure the integrity of the organic crop operation, the commissioner is authorized to report inadequate buffer zones to the United States Department of Agriculture, National Organic Program. If the commissioner finds that a farmer using genetically engineered plant parts, seeds or plants is not adhering to the use of best management practices or that the organic system plan filed by a producer does not ensure the integrity of the organic crop operation, the commissioner is directed to recommend best management practices to the farmer or the producer.

LD 863 An Act To Continue the Position of Director of Recreational Access and Landowner Relations

P & S 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	OTP-AM MAJ ONTP MIN	H-153 H-447 PIEH H-563 PIEH

This bill is a concept draft that seeks to permanently establish the position of Director of Recreational Access and Landowner Relations in the Department of Conservation, subject to sufficient funding.

Committee Amendment "A" (H-153)

This amendment funds a Public Service Coordinator I position to work as a landowner relations specialist until June 11, 2011.

House Amendment "A" To Committee Amendment "A" (H-447)

This amendment changes the funding source for the limited-period landowners relations program in Committee Amendment "A" from the Carrying Balances - General Fund account to the Other Special Revenue Funds account. It also removes the emergency preamble and clause.

House Amendment "B" To Committee Amendment "A" (H-563)

This amendment requires the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Conservation to establish a working group on the recreational access and landowner relations program that will include landowners and recreation users to review the position of director of the program, identify funding for the position on a permanent basis and review landowner relations programs in other states. The working group shall submit its findings to the Governor, the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Agriculture, Conservation and Forestry by December 31, 2009. The amendment also removes the transfer of funds from the Department of Inland Fisheries and Wildlife in fiscal year 2010-11 in anticipation of another funding source to be identified by the working group.

Enacted Law Summary

Private and Special Law 2009, chapter 25 requires the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Conservation to establish a working group on the recreational access and landowner relations program to identify funding for the director's position on a permanent basis and review landowner relations programs in other states. The working group shall submit its findings to the Governor, the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Agriculture, Conservation and Forestry by December 31, 2009.