

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
SECOND REGULAR SESSION



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

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

April 2010

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
SECOND 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 Second 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

specifies that reductions in payments for milk produced in June, July and August of 2010 are to reflect a 1:2 ratio between adjacent tiers.

Chapter 467 authorizes the joint standing committee of the Legislature having jurisdiction over agriculture matters to submit legislation to revise the tiers and target prices used to calculate dairy stabilization payments to the 125th Legislature.

Public Law 2009, chapter 467 was enacted as an emergency measure effective February 12, 2010.

See the bill summary for LD 1829 for subsequent revisions pertaining to the distribution of payments.

LD 1765 Resolve, Regarding Legislative Review of Chapter 348: Poultry Slaughter and Processing with Grower/Producer Exemption, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

**RESOLVE 185
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	H-728

This resolve provides for legislative review of Chapter 348: Poultry Slaughter and Processing with Grower/Producer Exemption, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-728)

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It requires the Commissioner of Agriculture, Food and Rural Resources to include requirements for the humane handling and slaughter of poultry in Chapter 348: Poultry Slaughter and Processing with Grower/Producer Exemption prior to final adoption and authorizes the commissioner to finally adopt the rule without additional hearings or proceedings.

Enacted Law Summary

Resolve 2009, chapter 185 authorizes final adoption of Chapter 348: Poultry Slaughter and Processing with Grower/Producer Exemption provided requirements for the humane handling and slaughter of poultry are included in the rule.

Resolve 2009, chapter 185 was finally passed as an emergency measure effective March 31, 2010.

LD 1788 Resolve, Directing the Commissioner of Agriculture, Food and Rural Resources To Examine the Collection of the Milk Handling Fee on Packaged Milk for Out-of-state Sales

RESOLVE 183

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLEMINGS NASS R	OTP-AM	H-737 S-458 NUTTING J

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill provides a credit to a milk handler for any fee paid under Title 36, chapter 721 on packaged milk that is sold or shipped out of state by a person other than the handler that paid the fee. The credit applies as long as that milk is not later imported for sale into this State.

Committee Amendment "A" (H-737)

This amendment changes the bill to a resolve. It directs the Commissioner of Agriculture, Food and Rural Resources to convene a stakeholder group to examine the collection of the milk handling fee and possible impacts of the fee on the sale of milk produced in Maine and destined for out-of-state retail markets. It requires the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than October 29, 2010 and directs the committee to discuss and develop recommendations during an authorized interim meeting of the committee. It authorizes the joint standing committee of the Legislature having jurisdiction over agricultural matters to submit a bill to the First Regular Session of the 125th Legislature pertaining to the collection of the milk handling fee and barriers to increasing sales of Maine-produced milk in other states.

Senate Amendment "A" To Committee Amendment "A" (S-458)

This amendment removes authority for the joint standing committee of the Legislature having jurisdiction over agricultural matters to submit a bill to the First Regular Session of the 125th Legislature.

Enacted Law Summary

Resolve 2009, chapter 183 directs the Commissioner of Agriculture, Food and Rural Resources to convene a stakeholder group to examine the collection of the milk handling fee and possible impacts of the fee on the sale of milk produced in Maine and destined for out-of-state retail markets. It requires the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than October 29, 2010.

LD 1803 Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands and the Department of Inland Fisheries and Wildlife and Directing the Initiation of Negotiations Regarding Easements on Certain Land

RESOLVE 209

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH	OTP-AM	H-723 H-824 FLAHERTY S-509 RAYE

This resolve authorizes land transactions and conveyance of easements on designated lands held by the Bureau of Parks and Lands within the Department of Conservation and by the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (H-723)

This amendment terminates authorization for conveying power line easements in the Town of Sullivan and the Town of Franklin on April 1, 2013.

Senate Amendment "B" (S-509)

This amendment authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey by quitclaim deed without covenant, for negotiated value, a parcel of land on the edge of a public boating facility to the municipal government of the Town of Lubec.