

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
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

June 2012

MEMBERS:

SEN. ROGER L. SHERMAN, CHAIR
SEN. MICHAEL D. THIBODEAU
SEN. ELIZABETH M. SCHNEIDER

REP. PETER E. EDGECOMB, CHAIR
REP. DEAN A. CRAY
REP. JEFFERY ALLEN GIFFORD
REP. RUSSELL J. BLACK
REP. KAREN D. FOSTER
REP. JEFFREY L. TIMBERLAKE
REP. JEFF M. MCCABE
REP. ANDREW R. O'BRIEN
REP. PETER S. KENT
REP. JAMES F. DILL

STAFF:

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

STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation 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>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 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Agriculture, Conservation and Forestry

The provisions in this bill, as amended by Committee Amendment "A" and House Amendment "C," are incorporated into Public Law 2011, chapter 657, Parts V,W, X and Y. See the bill summary for LD 1746 under the Joint Standing Committee on Appropriations and Financial Affairs.

LD 1869 An Act To Establish the Dairy Improvement Fund

**PUBLIC 625
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	OTP-AM	S-512

This bill creates the Dairy Improvement Fund within the Department of Agriculture, Food and Rural Resources to fund programs and activities to improve the economic viability of the dairy industry. The bill provides that revenue from slot machines operated by a casino operator that is distributed to the department for dairy stabilization under current law would instead be transferred to the improvement fund.

Committee Amendment "A" (S-512)

This amendment clarifies the process for the distribution of 1% of the net slot machine revenues under the Maine Revised Statutes, Title 8, section 1036, subsection 2-A, paragraph K credited to support payments under the dairy stabilization program. Effective July 1, 2013, the 1% credited for dairy stabilization payments will be reduced to 1/2 of 1%, with the other 1/2 of 1% being credited to the Dairy Improvement Fund established in the bill. It provides for the Dairy Improvement Fund to be deposited with and maintained by the Finance Authority of Maine. The fund provides loans to dairy farmers for capital improvements.

Enacted Law Summary

Public Law 2011, chapter 625 provides a process for the distribution of 1% of the net slot machine revenues under the Maine Revised Statutes, Title 8, section 1036, subsection 2-A, paragraph K credited to support payments under the dairy stabilization program. Effective July 1, 2013, the 1% credited for dairy stabilization payments will be reduced to 1/2 of 1%, with the other 1/2 of 1% being credited to the Dairy Improvement Fund established in the bill. It provides for the Dairy Improvement Fund to be deposited with and maintained by the Finance Authority of Maine. The fund provides loans to dairy farmers for capital improvements.

Public Law 2011, chapter 625 was enacted as emergency measure effective April 12, 2012.

LD 1892 An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry under the State Government Evaluation Act

PUBLIC 579

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

This bill is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4. It establishes dates for the next review of agencies under the State Government Evaluation Act. It removes the Wild Blueberry Advisory Committee and the Seed Potato Board from the list of agencies to be reviewed. It ensures continuing staggered terms for members of the Wild

Joint Standing Committee on Agriculture, Conservation and Forestry

Blueberry Commission of Maine. It requires the Maine Potato Board to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters on seed potato production, distribution and sales no later than January 15, 2013.

Enacted Law Summary

Public Law 2011, chapter 579 implements the recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry relating to review of agencies under the Government Evaluation Act. It removes the Wild Blueberry Advisory Committee and the Seed Potato Board from the list of agencies to be reviewed. It ensures continuing staggered terms for members of the Wild Blueberry Commission of Maine. It requires the Maine Potato Board to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters on seed potato production, distribution and sales no later than January 15, 2013. It establishes 2019 as the year for the next review of the Department of Conservation, the Board of Pesticides Control and the Wild Blueberry Commission of Maine under the State Government Evaluation Act.

LD 1905 An Act To Revise the Target Prices for the Dairy Stabilization Program

**PUBLIC 690
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ OTP-AM MIN	S-535 SHERMAN S-546 SHERMAN S-607 ROSEN R

This bill is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry authorized under Public Law 2009, chapter 467, section 16. It revises the target prices used to calculate dairy stabilization payments under the Maine Revised Statutes, Title 7, section 3153-B. It transfers funds to the Maine Milk Pool, Other Special Revenue Funds account and directs the administrator of the Maine Milk Pool to subtract funds available prior to certifying to the State Controller the amount needed from the General Fund for distribution under the dairy stabilization program under the Maine Revised Statutes, Title 7, section 3153-B.

Senate Amendment "A" (S-535)

This amendment adds an effective date that was inadvertently omitted from the bill.

Senate Amendment "B" (S-546)

This amendment increases the target price for the first 16,790 hundredweight of milk produced each year from \$19.64 per hundredweight to \$21.00 per hundredweight and revises the appropriations and allocations section accordingly.

Senate Amendment "A" To Senate Amendment "B" (S-607)

This amendment postpones the date by which funds from the accounts specified in the bill must be transferred from May 15, 2012 to May 31, 2012. It decreases the allocation to the Maine Milk Commission to make payouts through the dairy stabilization program as a result of updated projections on the price of milk.

Enacted Law Summary

Public Law 2011, chapter 690 revises the target prices used to calculate dairy stabilization payments beginning on July 1, 2012. It transfers funds from 5 accounts within the Department of Agriculture, Food and Rural Resources and 3 accounts within the Department of Conservation to the Maine Milk Pool - Other Special Revenue account and directs the administrator of the Maine Milk Pool to subtract funds available in this account prior to certifying to the