

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 9 **An Act to Amend the Animal Trespass Definition** **ONTP**

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

LD 9 proposed adding wild animals that are kept and raised domestically to the category of animals for which their owner can be charged with animal trespass. (See bill summary for LD 742).

LD 51 **An Act to Amend the Forest Practices Laws** **ONTP**

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

LD 51 proposed amending the definition of timber harvesting by adding the requirement that in order to be "timber harvesting" more than 50 cords of timber must be cut or removed. (See bill summary for LD 407)

LD 234 **An Act to Create a Toll-free Telephone Line for the State Parks System** **ONTP**

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

LD 234 proposed requiring the Bureau of Parks and Lands to establish a toll-free line to provide current information on the availability of campsites and parking for day use at state parks. This requirement would have been phased in with information available for Popham Beach State Park beginning on June 15,1999 and for all other state parks by April 15, 2000.

LD 294 **An Act Requiring That the Director of the Bureau of Parks and Lands Appoint the Executive Director of the Allagash Wilderness Waterway** **ONTP**

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

LD 294 proposed requiring the Director of the Bureau of Parks and Lands to appoint an Executive Director of the Allagash Wilderness Waterway to serve at the director's pleasure.

LD 395

An Act to Protect Traditional Access to the Allagash Wilderness Waterway

ONTP

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

LD 395 proposed requiring the Bureau of Parks and Lands to continue allowing access to the Allagash Wilderness Waterway via trails and roads approved for use prior to June 30, 1998. It also proposed that access to the waterway be allowed at John's Bridge.

LD 407

An Act to Reconcile Minor Technical Differences between Forest Practices Laws and Rules

PUBLIC 361

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY NUTTING J	OTP-AM	H-551

LD 407 proposed defining separation zone to allow an exception to the 250 foot minimum width between clearcuts when the area cut is within 250 feet of a property line. The bill also proposed allowing the Bureau of Forestry to exempt or modify through rulemaking the statutory requirements regarding signatures submitted on a harvest notification form. This bill was submitted on behalf of the Department of Conversation.

Committee Amendment "A" (H-551) proposed to replace the bill. It proposed changes in certain definitions and notification requirements for implementing the forest practices laws. It proposed requiring a forest management plan for clear-cuts over 20 acres. Currently a management plan is needed for clear-cuts over 35 acres.

Enacted law summary

Public Law 1999, chapter 361 reduces the minimum height of softwood trees that are counted when assessing a site after harvesting to determine if the definition of a clear-cut has been met. It requires a forest management plan for clear-cuts over 20 acres. Currently a management plan is needed for clear-cuts over 35 acres. It allows a separation zone to be less than 250 feet in width when a clear-cut is near a property line. It requires a separation zone to be equal to or greater than the clear-cut area. It exempts certain small area harvests from the notification requirement. It removes the requirement for a notarized statement to be submitted with certain notification forms. It allows the harvest notification number to be posted at a harvest site rather than a copy of the notification form.

LD 449

An Act Requiring Disclosures to be Made to Purchasers of Land Abutting Agricultural Land

CARRIED OVER

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

LD 449 proposes requiring prospective purchasers of land abutting registered farmland to receive notice of the characteristics of farming activities in that area.

LD 477

An Act Requiring Legislative Approval of Ecological Reserves

CARRIED OVER

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

LD 477 proposes requiring approval of the Legislature for creation of an ecological reserve on land under the jurisdiction of the Bureau of Parks and Lands or the Department of Inland Fisheries and Wildlife.

LD 478

An Act to Establish a Maine Agriculture Market and Production Development Program

INDEF PP

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

LD 478 proposed appropriating \$500,000 to the Department of Agriculture, Food and Rural Resources in each of fiscal years 1999-00 and 2000-01 for the implementation of a marketing campaign for Maine agribusinesses. Implementation efforts were proposed to include development of database and information technology resources, research of new market opportunities, technical assistance, strategic planning assistance, development of media strategies and development of new trade opportunities. **Note:** The Supplemental Budget enacted as P. L. 1999, c. 401 appropriates \$250,000 in each fiscal year of the biennium for increased effort in marketing Maine agribusiness. (See bill summary for LD 617 under Appropriations and Financial Affairs Committee)

LD 538

Resolve, to Ensure Equity in Public Land Acquisitions

ONTP

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

LD 538 proposed directing the Land for Maine's Future Board and the Bureau of Parks and Lands to develop a plan and revise acquisition criteria to ensure a more equitable distribution of public lands among rural and urban areas of the State and among the 16 counties.

LD 540

Resolve, Authorizing the Transfer of Certain State Historic Site Property

RESOLVE 10

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND PINGREE	OTP-AM	H-22

LD 540 proposed authorizing the transfer of certain property associated with Montpelier, the General Henry Knox Museum, from the State to the Friends of Montpelier. The property includes a reproduction of the 1794 Montpelier

structure and a historical decorative and fine arts collection. The deed and gift agreement would require that the property and historical collections be used exclusively for historic preservation and public education purposes. This bill was submitted on behalf of the Department of Conversation.

Committee Amendment "A" (H-22) proposed to require the contract conveying the property to contain a reversion clause. It also proposed to add a deappropriation and a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 10 authorizes the transfer of certain property associated with Montpelier, the General Henry Knox Museum, from the State to the Friends of Montpelier. The deed and gift agreement provide for the property and historical collections to be used exclusively for historic preservation and public education purposes. The Resolve requires the contract conveying the property to contain a reversion clause to provide for the property to revert to the Bureau of Parks and Lands if it is not used for these purposes.

LD 575

An Act to Provide for Increased Penalties and Enforcement Regarding Dangerous Dogs

PUBLIC 350

<u>Sponsor(s)</u> GAGNON KILKELLY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-488
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LD 575 proposed amending the provisions regarding dangerous dogs to extend the period during which a complaint of assault may be made from 10 to 90 days after the attack. It proposed removing the restriction that the assault must be unprovoked when the person assaulted is a child 12 years of age or younger. It proposed increasing the maximum fine for a violation of the dangerous dog statutes from \$100 to \$1,000. It proposed requiring the officer filing a complaint of a dangerous dog to send a copy of the complaint to the Department of Agriculture, Food and Rural Resources. It proposed allowing the officer making the complaint to determine where the animal must be confined pending the court hearing. It proposed directing the Department of Agriculture, Food and Rural Resources to collect information regarding assaults by dogs, to summarize that information in its annual report to the Legislature and provide this information to the Director of the Bureau of Health within the Department of Human Services. It proposed directing the Department of Human Services to establish a procedure for notifying the local animal control officer when a bite occurs.

It proposed requiring the Department of Education and the Department of Agriculture, Food and Rural Resources to develop a curriculum to teach children about safe behavior around dogs and other animals. It proposed requiring the Department of Agriculture, Food and Rural Resources and the Department of Human Services to develop public service announcements to increase awareness of safe behavior around animals. It proposed requiring the Department of Agriculture, Food and Rural Resources and the Department of Human Services to develop public service announcements to increase awareness of safe behavior around animals.

Committee Amendment "A" (H-488) proposed a definition of "dangerous dog." It proposed to make keeping a dangerous dog a civil violation and clarify the process for ordering a dog confined and for obtaining an ex parte order. It proposed making failure to abide by a court order regarding a dangerous dog a Class D crime. It removes provisions proposed in the original bill for additional reporting on dangerous dog complaints and for education about safe behavior around dogs. It also adds a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 350 enacts a definition of "dangerous dog." It makes keeping a dangerous dog a civil violation and clarifies the process for ordering a dog confined and for obtaining an ex parte order. It allows an animal control officer or law enforcement officer to order an owner to have the dog confined at a place determined by the officer

pending the court hearing. It clarifies the procedure for processing a complaint and removes the restriction that the assault must be unprovoked. It allows a person with knowledge of an assault against a minor to make a complaint. It extends from 10 to 30 days the period of time after an assault during which a complaint can be made. It makes failure to abide by a court order regarding a dangerous dog a Class D crime.

LD 603

An Act to Repeal the Licensing of Farmstead Cheese

ONTP

<u>Sponsor(s)</u> WATERHOUSE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 603 proposed repealing the inspection requirements and sales restrictions on farmstead cheese. (See bill summary for LD 799)

LD 623

Resolve, Regarding Legislative Review of Chapter 565: Nutrient Management Rules, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources

**RESOLVE 88
EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-334 S-428 MICHAUD
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LD 623 proposed authorizing final adoption of Sec. 3(6), 8 and 9 of Chapter 565: Nutrient Management Rules, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-334) proposed that the rule be changed to reflect January 1, 2000 as the date by which livestock operations would be required to have a permit. This amendment also adds an appropriation section and a fiscal note to the resolve. (see bill summary for LD 2246)

Senate Amendment "A" to Committee Amendment "A" (S-428) proposed reducing the annual General Fund appropriation for the Department of Agriculture, Food and Rural Resources to administer nutrient management rules.

Enacted law summary

Resolve 1999, chapter 88 authorizes final adoption of Sec. 3(6), 8 and 9 of Chapter 565: Nutrient Management Rules, a major substantive rule of the Department of Agriculture, Food and Rural Resources. These sections of the rule relate to the application and review process for issuance of livestock operations permits. The resolve specifies that January 1, 2000 is the date by which certain livestock operations are required to have a permit.

Chapter 88 was enacted as an emergency measure effective June 17, 1999.

LD 626 **An Act to Require Wildlife Management and Uneven-aged Forest Stand Management on Public Reserved Lands** **ONTP**

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

LD 626 proposed specifying that uneven-aged forest stand management be used on the public reserved lands. It also proposed requiring the Commissioner of Conservation to transfer management responsibility from the Bureau of Parks and Lands to Bureau of Forestry when the dominant use on a portion of public reserved lands is timber production.

LD 677 **An Act to Change the Way Ginseng License and Registration Fees Are Established** **ONTP**

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

LD 677 proposed repealing the fees established in statute for cultivating ginseng and for conducting business as a ginseng dealer and authorizes the Commissioner of Agriculture, Food and Rural Resources to establish these fees by rule. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

LD 682 **An Act to Increase the Late Fee for Licensing a Dog** **PUBLIC 136**

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

LD 682 proposed increasing the late fee for licensing a dog from \$3 to \$10 when a municipal warrant is issued for owners of unlicensed dogs.

Enacted law summary

Public Law 1999, chapter 136 increases the late fee for licensing a dog from \$3 to \$10. The \$10 fee applies to an owner whose name appears on a municipal warrant.

LD 694 **An Act to Increase the Number of Elm Trees in the State** **PUBLIC 98**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON DAGGETT	OTP-AM	H-94

LD 694 proposed appropriating \$1,000,000 to the Department of Conservation in fiscal year 1999-00 to be used to develop a program to increase the number of elm trees in the State. The appropriated funds were proposed to be used as grants to match on a one-to-one basis funds raised by municipally recognized tree boards. Grants were proposed to be made on the basis of recommendations received from the Community Forestry Council of Maine.

Committee Amendment "A" (H-94) proposed establishing a fund within the Bureau of Forestry to be used for grants to municipalities to plant and maintain disease-resistant cultivars of American elm and that the bureau develop a process to accept applications and award grants. It also proposed to add an allocation section and adds a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 98 establishes the Elm Tree Restoration Fund within the Bureau of Forestry to be used for grants to municipalities to plant and maintain disease-resistant cultivars of American elm. It authorizes the bureau to apply for and accept gifts and grants. It directs the bureau to develop a process to accept applications and award grants. It does not appropriate any General Fund dollars to this program but provides an initial allocation for dedicated revenue.

LD 705 **An Act to Prevent an Aggressive Dog from Doing Harm to People** **ONTP**

<u>Sponsor(s)</u> JONES	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 705 proposed provisions to declare a dog as a potentially dangerous dog and require to the owner or keeper to confine the dog. (See bill summary for LD 575)

LD 713 **An Act to Establish Mandatory Labeling for Genetically Engineered Foods** **INDEF PP**

<u>Sponsor(s)</u> BAGLEY CASSIDY	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u>
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LD 713 proposed requiring the labeling by retailers of genetically engineered food.

Committee Amendment "A" (H-490) was the majority report. It proposed amending the bill to require labeling only of “whole foods” that are genetically engineered foods, whole food meaning food that is unprocessed or minimally processed. It also proposed provisions for the voluntary labeling of foods that are not genetically engineered foods. This amendment also proposed to add a fiscal note to the bill. The majority report was not adopted.

LD 727 **An Act to Limit Publicly Owned Land** **ONTP**

<u>Sponsor(s)</u> JOY	<u>Committee Report</u> ONTP MAJ OTP-AM MIN	<u>Amendments Adopted</u>
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LD 727 proposed limiting publicly owned land in this State to no more than 7% of the total land area of the State or 10% of the land area in any county.

Committee Amendment "A" (H-753) was the minority report of the committee. This amendment proposed to allow the State to continue ownership in excess of 10% in Piscataquis County, but it could not increase its acres of ownership. The amendment proposed a section headnote for the new provision and adding a fiscal note to the bill. The minority report was not accepted.

LD 736

An Act to Further Discourage the Field Theft of Wild Blueberries

PUBLIC 194

<u>Sponsor(s)</u> POVICH GOLDTHWAIT		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 736 proposed strengthening the laws concerning the illegal transportation of blueberries by extending responsibilities for issuing permits and record-keeping from owners to certified shippers or processors, limiting issuance of transportation permits to owners or owners' transportation agents and requiring the Wild Blueberry Commission of Maine to establish and administer the form and record-keeping requirements of transportation permits.

Enacted law summary

Public Law 1999, chapter 194 strengthens the laws concerning the illegal transportation of blueberries by extending liability from owners alone to any shipper or processor, limiting issuance of transportation permits to owners or owners' transportation agents and requiring the Wild Blueberry Commission of Maine to establish and administer the form and record-keeping requirements of transportation permits. The requirement for a transportation permit does not apply to shipments of wild blueberries that have been received by a shipper or processor, logged into a record-keeping system and reloaded into a vehicle for shipping under a bill of lading.

LD 742

An Act to Amend the Animal Welfare Laws

PUBLIC 254

<u>Sponsor(s)</u> BUMPS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-444
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LD 742 proposed strengthening enforcement capabilities of humane agents within the Department of Agriculture, Food and Rural Resources. It proposed enacting a definition of a "dangerous dog," and amending the enforcement procedures for dangerous dogs. It proposed establishing an education requirement for humane agents. It proposed requiring that rabies tags verifying immunization be worn by dogs. It proposed expanding the provision concerning damage by animals to include all animals, and increasing the violation for failure to appear in court for a 3rd time on a civil violation. It proposed a fee for submitting calf and pig scramble applications.

It proposed a new violation of animal cruelty laws for administering a substance that is a detriment to the animal's health to enhance the animal's performance. It proposed granting the court the ability to prohibit a person who commits a civil violation of cruelty to animals from owning an animal. It proposed allowing the court to increase an animal abuse violation from a Class C crime to a Class D crime if, in the opinion of the court, the act of cruelty warranted the greater penalty. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-444) proposed several changes to the bill including removing sections of the bill relating to dangerous dogs, making technical changes to the bill and adding a fiscal note. (See bill summary for LD 575)

Enacted law summary

Public Law 1999, chapter 254 establishes an education requirement for humane agents. It requires that a dog wear a rabies tag to verify immunization. It removes the restrictions on when an animal control officer may take a dog whose owner is known to an animal shelter instead of returning the dog to its owner. It expands the provision concerning damage by dogs to include all animals. It sets a fee of \$10 to be submitted with a calf or pig scramble application.

It establishes a violation of animal cruelty laws for administering a substance that is a detriment to the animal's health to enhance the animal's performance. It grants the court the ability to prohibit a person who commits a civil violation of cruelty to animals from owning an animal. It expands the provision concerning damage by dogs to include all animals and specifies that the owner or keeper of the animal is liable for damages if the damage was due to that owner's or keeper's negligence.

It extends the animal trespass laws to apply to all animals. It clarifies that criminal violations of failure to provide sustenance, necessary medical care and shelter are Class D crimes. It imposes restrictions on the transportation of dogs in open vehicles. A violation is a traffic infraction as provided in the Maine Revised Statutes, Title 29-A.

LD 743 An Act to Make Confidential Certain Information Collected from Maine Farmers and Agricultural Business PUBLIC 140

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND	OTP-AM MAJ ONTP MIN	H-129 H-164 CAMERON

LD 743 proposed making business information reported to the Department of Agriculture, Food and Rural Resources confidential. It proposed to allow the department to publish a compilation of the information provided it does not identify an individual farmer or agricultural business and proposed to authorize federal and state agencies to still have access to the information. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-129) proposed to clarify the types of information designated as confidential.

House Amendment "A" to Committee Amendment "A" (H-164) proposed on behalf of the Committee on Bills in the Second Reading corrects a formatting error.

Enacted law summary

Public Law 1999, chapter 140 makes information provided to the Department of Agriculture, Food and Rural Resources confidential if the person providing the information requests that it be designated as confidential and the department determines that the information would provide competitors an advantage. It allows the department to publish a compilation of the information provided it does not identify the activities of an individual person or company.

LD 744 An Act to Change the Way Nursery License Fees Are Established PUBLIC 179

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER NUTTING J	OTP-AM	H-309 PIEH H-75

LD 744 proposed deleting the fee structure specified in law for a nursery license and requiring the Commissioner of Agriculture, Food and Rural Resources to establish these fees by rule. The bill also proposed making it a civil violation

Resolve 1999, chapter 6 allows the Director of the Bureau of Parks and Lands to convey a well and waterline easement over state-owned land for the purpose of developing a potable water supply for a residence in New Sweden. The land was acquired with funds from the Land for Maine's Future Fund and, under the Maine Revised Statutes, Title 5, section 6209, subsection 6 and the Constitution of Maine, Article IX, section 23. This change of use was approved by a 2/3 majority of the Legislature.

LD 799

An Act Requiring Labeling of Unpasteurized Milk Products

PUBLIC 418

<u>Sponsor(s)</u> NUTTING J PIEH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-346
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LD 799 proposed requiring that all unpasteurized milk products be labeled "This product has not been pasteurized."

Committee Amendment "B" (S-346) proposed replacing the bill. It proposed amendments to the statute governing farmstead cheese. It proposed labeling requirements for unpasteurized milk and products made from unpasteurized milk. It proposed prohibiting the sale of unpasteurized milk at restaurants and other eating establishments. This amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 418 establishes labeling requirements for unpasteurized milk and products made from unpasteurized milk. The label must contain the word "not pasteurized". It prohibits the sale of unpasteurized milk at restaurants and other eating establishments. It amends the statute governing farmstead cheese. It changes the term "farmstead cheese" to "farm cheese" and removes the restriction that this product only be sold at farms, farm stands and farmer's markets. It specifies that farm cheese must be made from milk that has been heat-treated in accordance with standards established in statute and rule. It requires eating establishments to identify items on the menu that contain or are made with farm cheese. It defines the term "established producer" and allows the label on and menu identification of their products to use the words "heat-treated" only. Farm cheese from other than established producers must be labeled or identified as "heat treated, not pasteurized". The labeling provision which applies to established producers only is repealed June 30, 2004.

LD 853

An Act to Prohibit the Destruction of Structures in Baxter State Park Without Prior Legislative Approval

ONTP

<u>Sponsor(s)</u> CLARK DAVIS P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 853 proposed prohibiting the Baxter State Park Authority from destroying, removing or closing a road, bridge, gate or other structure without gaining the prior approval of the Legislature.

LD 855

An Act to Improve the Management of the Allagash Wilderness Waterway

CARRIED OVER

Sponsor(s)
MARTIN

Committee Report

Amendments Adopted

LD 855 proposes requiring the principal administrative office of the Allagash Wilderness Waterway to be located at Churchill Dam.

LD 863

An Act to Amend the Pulling Event Laws

**PUBLIC 73
EMERGENCY**

Sponsor(s)
CHICK
CASSIDY

Committee Report
OTP-AM

Amendments Adopted
H-110

LD 863 proposed several changes to the laws governing pulling events. It proposed empowering humane agents to work with pulling event superintendents to enforce laws. The bill also proposed changing the composition of the Pull Events Commission. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (H-110) proposed replacing the original bill and adding an emergency preamble and emergency clause to the bill. It proposed requiring the Pull Events Commission to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 1, 2000. In addition, it proposed several clarifications and revisions to the laws governing pulling events. It proposed changes in the composition and responsibilities of the Pull Events Commission. It also proposed to remove the provision in the bill that authorized the commissioner to appoint all members of the commission.

Enacted law summary

Public Law 1999, chapter 73 requires the Department of Agriculture, Food and Rural Resources, Pull Events Commission to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 1, 2000. It clarifies that only horses and ponies must wear shoes, that a rope may be allowed on oxen in children's pull classes in accordance with rules and which provisions apply to distance pulls. It allows pulling superintendents to approve use of a goad in excess of four feet in length. It clarifies that pull superintendents or assistant pull superintendents may not officiate over classes in which they are competing. It specifies that the Pull Events Commission must send a copy of a report received regarding violations or other conduct to the person whose conduct is being reported. It adds two members appointed by the Commissioner of Agriculture, Food and Rural Resources to the Pull Events Commission. It requires the Pull Events Commission to meet a minimum of twice annually. It requires the commission to coordinate, develop and conduct training seminars for pulling superintendents.

Chapter 73 was enacted as an emergency measure effective April 16, 1999.

LD 912

Resolve, to Transfer Land in Edmunds

RESOLVE 11

<u>Sponsor(s)</u> GOODWIN CASSIDY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-89
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LD 912 proposed allowing the Director of the Bureau of Public Lands, once the bureau acquires title to a certain piece of property in Edmunds, to convey that property to the Dennys River Historical Society.

Committee Amendment "A" (H-89) proposed technical changes to the resolve providing a preamble and cross-references and clarifying that the property to be transferred to the Dennys River Historical Society is located in Edmunds. It also proposed providing that the property be conveyed to Edmunds if the township of Edmunds becomes incorporated as a town. It also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 11 allows the Director of the Bureau of Public Lands, once the bureau acquires title to a certain piece of property in Edmunds, to convey that property to the Dennys River Historical Society. It also provides that the property be conveyed to Edmunds if the township of Edmunds becomes incorporated as a town.

LD 931

An Act to Ensure Children's Safety from Uncontrolled Dogs

ONTP

<u>Sponsor(s)</u> DAVIS G	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 931 proposed allowing a humane agent, animal control officer or animal shelter to authorize the immediate euthanasia of a dog that caused serious bodily injury to a child 12 years of age or younger or presents a danger to the public. This bill proposed that the owner of the dog pay all expenses incurred by the victim of the assault and the costs of the euthanasia.

LD 950

An Act to Consolidate and Improve Agricultural Market Research and New Technology Grants in the Department of Agriculture, Food and Rural Resources to Encourage Economic Development of Maine Farms and Food Processors

**PUBLIC 72
EMERGENCY**

<u>Sponsor(s)</u> KIEFFER KNEELAND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-41
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LD 950 proposed consolidating administration of existing agricultural market and production development grant programs including the Agricultural Marketing Loan Fund, technology transfer and special research projects program and the market research and development grant program. The bill proposed combining these programs into a comprehensive agricultural development grant program including elements of the individual grant programs. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (S-41) proposed to add an emergency preamble and emergency clause to the bill. It proposed criteria for allocating grants. It proposed limiting the maximum amount of any single grant to \$30,000 and

clarifying that funds designated in one fiscal year may be expended in the next year. It proposed technical corrections to the bill. It also proposed changing the date by which the Board of Agriculture must establish a long-range plan from November 1, 1998 to January 15, 2000.

Enacted law summary

Public Law 1999, chapter 72 consolidates administration of existing agricultural market and production development grant programs including the Agricultural Marketing Loan Fund, technology transfer and special research projects program and the market research and development grant program. It combines these programs into a comprehensive agricultural development grant program that includes elements of the individual grant programs. It allows funding for market promotion and authorizes rulemaking to establish criteria for the allocation of grant money, and application and reporting requirements. It directs the Commissioner of Agriculture, Food and Rural Resources to award grants w, when possible, to applicants representing diverse agricultural enterprises and geographic areas. It raises the cap on funds available for the programs through the Agricultural Marketing Loan Fund from \$150,000 to \$250,000 per fiscal year.

Chapter 72 was enacted as an emergency measure effective April 16, 1999.

LD 976 An Act to Reduce the Amount of Paperwork Required for Transactions Involving the Sale of Wood DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	ONTP MAJ OTP MIN	

LD 976 proposed repealing the provision in the wood measurement laws that requires that a trip ticket accompany each load of wood transported. Instead, the bill proposed requiring the harvest notification number to be recorded on the measurement tally sheet. The bill proposed that truck drivers, when hauling wood harvested in the state, provide the name of the town in which the wood was harvested and the harvest notification number to wood scalers and persons who enforce wood measurement laws.

House Amendment "A" (H-64) was the minority report of the committee. It proposed requiring that a wood harvester, landowner or agent provide a copy of the harvest notification form to the truck driver and that, at the request of the mill, the truck driver would be required to provide a copy of the notification to the mill. The minority report was not accepted.

LD 997 Resolve, Granting a Right-of-way Across Baxter State Park Authority Property in the Town of Harpswell to the Coffin Family ONTP

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

LD 997 proposed granting the Coffin family an easement for a right-of-way across Baxter State Park Authority property in the Town of Harpswell to access the Coffin family property. The scope of the proposed easement for the right-of-way would be limited to one lane. This resolve would have prohibited the Baxter State Park Authority from blocking the right-of-way and refusing the Coffin family, its successors and assigns to use the right-of-way to access the Coffin family property.

Committee Amendment "A" (S-52) was the minority report. It proposed removing the emergency provisions in the resolve. It also proposed correcting a cross reference and the county. The minority report was not accepted.

LD 1008 **An Act to Require Labeling of Fruits and Vegetables to Identify Country of Origin** **PUBLIC 405**

<u>Sponsor(s)</u> ETNIER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-615
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LD 1008 proposed amending the laws requiring fresh fruit and vegetables sold in this State to be labeled with the country of origin.

Committee Amendment "A" (H-615) proposed adding a provision to Maine's Fair Packaging and Labeling Act to specify that produce grown in another country but packed in Maine must bear a label identifying the country of origin in letters equal in size to the letters identifying the packer. The amendment also proposed to remove the requirement that produce produced in the United States must be labeled as to country of origin. This amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 405 repeals provisions requiring the Commissioner of Agriculture, Food and Rural Resources to designate countries whose produce must be labeled prior to retail sale in Maine. Instead, it requires all fresh produce grown in a foreign country and sold in Maine to be labeled with the country of origin. It adds a provision to Maine's Fair Packaging and Labeling Act to specify that produce grown in another country but packed in Maine must bear a label identifying the country of origin in letters equal in size to the letters identifying the packer.

LD 1088 **An Act to Prohibit Permanent Committees Authorized by the Baxter State Park Authority** **ONTP**

<u>Sponsor(s)</u> CLARK DAVIS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1088 proposed prohibiting permanent advisory committees for the Baxter State Park Authority. It would have limited any advisory committee to a six-month appointment and prohibited preferential treatment of committee members.

LD 1093 **An Act to Provide Farm Cooperatives More Flexibility in Establishing Officers and Using Titles for Various Officers** **PUBLIC 48**

<u>Sponsor(s)</u> KNEELAND KIEFFER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1093 proposed providing farm cooperatives with greater flexibility in establishing officers.

Enacted law summary

Public Law 1999, chapter 48 provides farm cooperatives with greater flexibility in establishing officers.

LD 1144

An Act to Make Public Certain Information Regarding Forest Practices

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMSON	ONTP MAJ	
DOUGLASS	OTP MIN	

LD 1144 proposed changes to the laws governing reports concerning forest practices activities. It would have made annual wood processing reports submitted after October 1, 1999 available to the public. It proposed that landowners owning more than 20,000 acres report information regarding the establishment of plantations. It proposed to make harvest reports of landowners owning more than 20,000 acres available to the public and that individual landowner reports regarding stumpage prices and volumes of species harvested by product type would remain confidential. It proposed that the Maine Forest Service produce an annual report containing the forest practices information made public by this bill.

LD 1172

Resolve, Establishing a Task Force to Study the Need for an Agricultural Vitality Zone Program

**RESOLVE 81
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	OTP-AM	S-196
COWGER		S-460 MICHAUD

LD 1172 proposed establishing the Task Force to Study the Need for an Agricultural Vitality Zone Program to identify areas of the State where there is substantial existing small-scale agricultural activity, definable networks of support services and regional markets that have been or are being developed. The proposed task force would also be required to target existing and potential state resources, including farmland conservation and protection measures, job training and beginning-farmer training programs, tax credits and incentives and grants and loans, to create and support these agricultural vitality zones.

Committee Amendment "A" (S-196) proposed changes to the membership of the Task Force to Study the Need for an Agricultural Vitality Zone Program and allowing the members to select a chair. It proposed a minimum of 4 public meetings, one in each of the State's 4 development districts. It also proposed adding an emergency preamble and emergency clause and an appropriation section and fiscal note to the resolve.

Senate Amendment "A" to Committee Amendment "A" (S-460) proposed changing the membership of the task force to provide for 4 citizen members and 5 legislators as members and to require the task force to invite the participation of representatives of the State Planning Office, the Department of Agriculture, Food and Rural Resources, the Department of Economic and Community Development and representatives of regional development districts.

It also proposed changing the reporting date to December 1, 1999 and authorizing the Legislative Council to grant an extension upon request of the task force. It proposed that the Office of Policy and Legal Analysis provide staffing services and requires the Department of Agriculture, Food and Rural Resources and the State Planning Office to provide additional services as requested by the task force chairs.

Finally, the amendment proposed removing language in the committee amendment relating to public hearings and proposed a convening date of no later than July 30, 1999.

Enacted law summary

Resolve 1999, chapter 81 establishes a Task Force to Study the Need for an Agricultural Vitality Zone Program. The task force consists of 4 citizen members with experience in agriculture or agricultural marketing and 5 Legislators. The first named Senate member and the first named House member serve as chairs of the task force.

The task force is charged with identifying areas of the State where there is substantial existing small-scale agricultural activity, networks of support services and regional markets. The task force is also required to target existing and potential state resources, including farmland conservation and protection measures, job training and beginning-farmer training programs, tax credits and incentives and grants and loans, to create and support these agricultural vitality zones.

The task force is required to invite the participation of representatives of the State Planning Office, the Department of Agriculture, Food and Rural Resources, the Department of Economic and Community Development and representatives of regional development districts. The Office of Policy and Legal Analysis will provide staffing services. The State Planning Office and the Department of Agriculture, Food and Rural Resources will provide assistance as needed.

It requires the task force to report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 1, 1999. The committee is authorized to report out a bill during the Second Session of the 119th Legislature based on recommendations and findings of the task force.

Chapter 81 was enacted as an emergency measure effective June 17, 1999.

LD 1181

An Act to Amend the Laws Pertaining to Dangerous Dogs

ONTP

<u>Sponsor(s)</u> THOMPSON BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1181 proposed to strengthen enforcement of the laws pertaining to dangerous dogs. The bill proposed changes in the process for filing a complaint of an assault by a dog. The bill proposed clarifying when an ex parte order might be entered. The bill proposed making it a Class D crime if an owner failed to abide by an order of the court for confining a dog. (See enacted law summary for LD 575)

LD 1183

An Act to Increase Harness Racing Opportunities

ONTP

<u>Sponsor(s)</u> TESSIER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1183 proposed deregulating the race date assignment process and allowing all tracks, including fairs, to conduct live racing on any days they chose.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER CARR	OTP MAJ ONTP MIN	H-326 MARTIN

LD 1188 proposed codifying the current policy of the Department of Conservation that forest rangers may, under life-threatening emergency conditions, assist law enforcement officers and that they are entitled to the same immunity and benefits as rangers are when they are performing their regular forest ranger duties. This bill was submitted on behalf of the Department of Conversation.

House Amendment "A" (H-326) proposed requiring the Commissioner of Conservation to sell all bullet-proof vests, firearms, and related equipment, if any, purchased by the Department of Conservation for the use of certain Bureau of Forestry employees. The amendment also proposed that funds generated by the sale be deposited in the General Fund. This amendment also proposed requiring the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Appropriations and Financial Affairs concerning the specific amount of revenue generated by the sale. This amendment also proposed prohibiting the Commissioner of Conservation from purchasing bullet-proof vests, firearms and related materiel without explicit legislative authorization.

Enacted law summary

Public Law 1999, chapter 352 codifies the current policy of the Department of Conservation that forest rangers may, under the life-threatening emergency conditions, assist law enforcement officers and that they are entitled to the same immunity and benefits as rangers are in performing their regular forest ranger duties.

It requires the Commissioner of Conservation to sell all bullet-proof vests, firearms, and related equipment purchased by the Department of Conservation for the use of certain Bureau of Forestry employees. Funds generated by the sale will be deposited in the General Fund. It requires the commissioner to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Appropriations and Financial Affairs concerning the specific amount of revenue generated by the sale. It specifically prohibits the Commissioner of Conservation from purchasing bullet-proof vests, firearms and related materiel without explicit legislative authorization.

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

LD 1193 proposed requiring that 10% of the funds expended by the Land for Maine's Future Board to acquire natural lands be used to acquire lands of local or regional significance.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY KIEFFER	OTP-AM	H-230 PIEH

LD 1239 proposed replacing archaic language regarding the election of soil and water conservation district supervisors and permitting temporary appointments to fill vacancies in unexpired terms of elected supervisors.

Committee Amendment "A" (H-111) proposed striking an unnecessary word in the bill.

House Amendment "A" (H-230) proposed clarification of the initial staggered terms for soil and water conservation district supervisors.

Enacted law summary

Public Law 1999, chapter 138 replaces archaic statutory language regarding the election of soil and water conservation district supervisors and permits temporary appointments to fill vacancies in unexpired terms of elected supervisors.

LD 1240 **Resolve, Regarding Legislative Review of Chapter 20: Forest Regeneration and Clearcutting Standards, a Major Substantive Rule of the Department of Conservation** **RESOLVE 49 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-552
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LD 1240, proposed authorization of final adoption of Chapter 20: Forest Regeneration and Clearcutting Standards, a major substantive rule of the Department of Conservation.

Committee Amendment "A" (H-552) proposed authorizing the Commissioner of Conservation to finally adopt Chapter 20: Forest Regeneration and Clearcutting Standards, a provisionally adopted major substantive rule of the Department of Conservation, provided that the changes indicated in the revised rule dated April 28, 1999 are incorporated. This amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 49 authorizes the Commissioner of Conservation to finally adopt Chapter 20: Forest Regeneration and Clearcutting Standards, a provisionally adopted major substantive rule of the Department of Conservation, providing that the rule is amended to incorporate changes indicated in the revised rule dated April 28, 1999. These changes pertain to clear-cut size categories, the required height of softwood for assessing a stand of acceptable growing stock, stocking and regeneration standards from a percent basis to a trees-per-acre basis. The rule as authorized by this resolve exempts landowners with fewer than 100 acres total ownership from certain standards for clear-cuts and changes the provisions for maintenance of separation zones. The Commissioner of Conservation is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.

Chapter 49 was enacted as an emergency measure effective June 1, 1999.

LD 1248 **An Act to Resolve Technical Inconsistencies in the Nutrient Management Act** **ONTP**

<u>Sponsor(s)</u> COWGER NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1248 proposed to require a farm that stores or utilizes by-products regulated by the Department of Environmental Protection to file a nutrient management plan with the Commissioner of Agriculture, Food and Rural Resources only if the Department of Agriculture, Food and Rural Resources determines that the by-product needs a nutrient management plan. (See bill summary for LD 2246)

LD 1267 **An Act to Amend the Laws Governing the Aroostook Water and Soil Management Board and to Provide Funding for a Low-flow Study** **PUBLIC 497**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER	OTP-AM MAJ	S-212
AHEARNE	OTP-AM MIN	S-394 MICHAUD

LD 1267 proposed expanding the Aroostook Water and Soil Management Board’s responsibilities to include coordinating all irrigation activities in Aroostook County. This bill also proposed appropriating \$25,000 per year for the next 2 years to fund a low-flow study to be conducted by the United States Geological Survey.

Committee Amendment "A" (S-212) proposed technical changes in the appropriation section and adding a fiscal note to the bill.

Committee Amendment "B" (S-213) was the minority report of the committee. It proposed adding 4 members to the Aroostook Water and Soil Management Board: the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Environmental Protection; a member representing a conservation organization with membership in Aroostook County; and a representative of a sporting association with membership in Aroostook County. The amendment also proposed technical changes in the appropriation section and adding a fiscal note to the bill. The minority report was not accepted.

Enacted law summary

Public Law 1999, chapter 497 expands the Aroostook Water and Soil Management Board’s responsibilities to include coordinating all irrigation activities in Aroostook County. It appropriates \$25,000 per year for the next 2 years to the Office of Agricultural, Natural and Rural Resources to pay for a low-flow study to be conducted by the United States Geological Survey.

LD 1310 **An Act to Reduce the Administrative Requirements of the Forest Practices Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER	ONTP	
DAVIS P		

LD 1310 proposed removing the requirement that a designated agent submit with a harvest notification a notarized statement of agreement signed by the landowner and the designated agent. (See bill summary for LD 407)

LD 1326

An Act to Clarify the Authority of the Maine Milk Commission

**PUBLIC 56
EMERGENCY**

Sponsor(s)
KILKELLY
GOOLEY

Committee Report
OTP-AM

Amendments Adopted
S-32

LD 1326 proposed clarifying the Legislature's intent that all Maine milk producers receive the minimum price established by the Maine Milk Commission. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (S-32) proposed alternative language to clarify that dealers must pay producers the minimum producer prices established by the Maine Milk Commission for milk sold in Maine.

Enacted law summary

Public Law 1999, chapter 56 clarifies that the Maine Milk Commission's authority to set minimum prices paid by dealers to producers for milk sold in Maine applies to dealers subject to federal milk pricing regulation as well as those subject to state pricing regulation.

Chapter 56 was enacted as an emergency measure effective April 7, 1999.

LD 1335

An Act to Simplify the Collection of Fees for the Maine Dairy Promotion Board and Maine Dairy Nutrition Council

**PUBLIC 161
EMERGENCY**

Sponsor(s)
KILKELLY
GREEN

Committee Report
OTP-AM

Amendments Adopted
S-104

LD 1335 proposed requiring milk dealers to forward the funds directly to the Maine Dairy Promotion Board and the Maine Dairy Nutrition Council. Under federal law, dairy farmers are assessed a fee of 15¢ per hundredweight, 10¢ of which dealers have sent to the Maine Milk Pool. Those funds are then forwarded to the Maine Dairy Promotion Board and the Maine Dairy Nutrition Council to fund milk promotion and nutrition programs. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (S-104) proposed technical corrections to the bill, removing sections that proposed changes to existing definitions. It specified an effective date of June 1, 1999 and added a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 161 requires milk dealers to forward the per hundredweight fee for milk promotion and nutrition programs directly to the Maine Dairy Promotion Board and the Maine Dairy Nutrition Council instead of channeling the funds through the Maine Milk Pool.

Chapter 161 was enacted as an emergency measure effective June 1, 1999.

LD 1343

An Act to Establish Blueberry Weight Accountability

ONTP

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

LD 1343 proposed that blueberries transported out of the State be weighed prior to transportation and the weight recorded on the transportation permit form. (See bill summary for LD 736)

LD 1404

An Act to Amend the Laws Regarding Farmstead Cheese

ONTP

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

LD 1404 proposed to exempt a producer of farmstead cheese from sales restrictions if that producer had been producing farmstead cheese before the effective date of those restrictions and if the cheese were labeled to indicate that it was heat-treated, not pasteurized. (See bill summary for LD 799)

LD 1416

Resolve, to Encourage Replanting of Hardwood Trees

ONTP

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

LD 1416 proposed requiring the Maine Forest Service to study strategies to encourage the replanting of hardwood trees and report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 1, 1999.

LD 1418

Resolve, to Direct the Maine Agricultural Experiment Station to Conduct a Pilot Project on Blueberry Cultivation in the St. John River Valley

RESOLVE 27

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROIS	OTP-AM	H-228

LD 1418 proposed authorizing burning of blueberry lands in the St. John River Valley without a permit.

Committee Amendment "A" (H-228) proposed replacing the bill with a resolve to direct the Director of the Maine Agricultural Experiment Station at the University of Maine to develop and conduct a pilot project on the cultivation of wild blueberries along the St. John River Valley using existing resources and grant money from appropriate sources.

Enacted law summary

Resolve 1999, chapter 27 directs the Director of the Maine Agricultural Experiment Station at the University of Maine to develop and conduct a pilot project on the cultivation of wild blueberries along the St. John River Valley using existing resources and grant money from appropriate sources.

LD 1420

An Act to Require All Landowners in LURC's Jurisdiction to Be Notified of Regulatory Restrictions

ONTP

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

LD 1420 proposed requiring the Land Use Regulation Commission to send notice by certified letter to a landowner whose property was being considered for a regulatory restriction or inclusion in a government inventory, map or plan that would result in a regulatory restriction. The bill proposed that the commission be required to prepare and maintain for public inspection a certificate listing the names and addresses of landowners to whom notice was mailed.

Committee Amendment "A" (H-553) was the minority report of the committee. It proposed to replace the original bill and to require written notice be mailed to all landowners with property affected by or abutting property affected by a proposed amendment to land use district boundaries. It also proposed to add an appropriation section and a fiscal note to the bill.

LD 1467

Resolve, to Authorize the Director of the Bureau of Parks and Lands to Exchange Land between the State and Pownal Relating to Bradbury Mountain State Park

RESOLVE 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL KONTOS	OTP-AM	H-109

LD 1467 proposed authorizing the Director of the Bureau of Parks and Lands to exchange 1.5 acres of Bradbury Mountain State Park with the Town of Pownal for 4.5 acres of land owned by the Town of Pownal.

Committee Amendment "A" (H-109) proposed to remove the emergency preamble and emergency clause from the resolve and to correct the acreage being exchanged.

Enacted law summary

Resolve 1999, chapter 13 authorizes the Director of the Bureau of Parks and Lands to exchange 1.5 acres of Bradbury Mountain State Park with the Town of Pownal for 4.5 acres of land owned by the Town of Pownal.

Chapter 13 was enacted as an emergency measure effective April 16, 1999.

LD 1474

An Act to Enhance Equity Under the Maine Milk Pool Laws

**PUBLIC 210
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP	S-94 KILKELLY

LD 1474 proposed requiring each Maine market dealer to make the initial payment according to the blend price calculated using the Federal Milk Order utilization rate or the Federal Milk Order Zone 1 blend price, whichever is

greater. Current law requires each Maine market dealer in milk to make an initial payment to the dealer's Maine market producers according to the blend price calculated using the Federal Milk Order utilization rate.

Senate Amendment "A" (S-94) proposed to add an emergency preamble and clause to the bill to make it effective June 1, 1999.

Enacted law summary

Public Law 1999, chapter 210 requires each Maine market dealer to make the initial payment according to the blend price calculated using the Federal Milk Order utilization rate or the Federal Milk Order Zone 1 blend price, whichever is greater.

Chapter 210 was enacted as an emergency measure effective June 1, 1999.

LD 1475 An Act to Clarify the Tree Growth Tax Law CARRIED OVER

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

LD 1475 proposed requiring landowners who own more than 100,000 acres of land in the State to harvest at or below a sustainable level on their forest land taxed under the Maine Tree Growth Tax Law. It proposed requiring the Department of Conservation to adopt rules to establish a procedure for determining landowner compliance. This bill was originally referred to the Joint Standing Committee on Taxation. (See bill summaries under that committee for a summary of proposed Committee Amendment "A" S-235) This bill was re-referred to the Joint Standing Committee on Agriculture, Conservation and Forestry on June 3rd.

LD 1497 An Act Authorizing the Maine Land Use Regulation Commission to Regulate Industrialized Farms within Unorganized and Deorganized Areas ONTP

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

LD 1497 proposed authorizing the Maine Land Use Regulation Commission to regulate agriculture in management districts if it meets the definition of an industrialized farm. It proposed a definition of industrialized farm.

LD 1535 An Act to Require Notice to Abutters Prior to Commercial Applications of Pesticides ONTP

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

LD 1535 proposed requiring commercial applicators of pesticides to provide a one-week advance notice of applications to residences on abutting property.

LD 1565

Resolve, Directing the Maine Forest Service to Examine the Excessive Cutting of Mature Maple Trees

ONTP

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

LD 1565 proposed requiring the Department of Conservation, Maine Forest Service to examine the issue of the excessive cutting of mature maple trees and report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 1, 1999.

LD 1567

An Act to Help Farmers to Protect the Quality of Milk

CARRIED OVER

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

LD 1567 proposed making the Department of Agriculture, Food and Rural Resources the arbitrator in disputes over milk test results and directing the department to establish by rule the tests appropriate for various aspects of milk quality testing.

LD 1642

An Act Regarding Equine Massage Therapy

ONTP

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

LD 1642 proposed allowing a person who is a certified or licensed equine massage therapist to perform massage therapy on horses. It proposed directing the Department of Agriculture, Food and Rural Resources to adopt rules regulating the education necessary to practice as an equine massage therapist.

LD 1654

An Act to Improve the Efficiency of Environmental Regulation in the Unorganized and Deorganized Areas of the State

PUBLIC 333

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY COWGER	OTP-AM	H-591 PIEH S-261

LD 1654 proposed eliminating redundancy in the permitting process between the Maine Land Use Regulation Commission and the Department of Environmental Protection.

Under provisions of this bill, large development projects that require extensive technical review would be regulated by the Department of Environmental Protection regardless of their location in the State. Within the unorganized and deorganized areas of the State, routine permitting decisions and all zoning considerations would be made by the Maine Land Use Regulation Commission. All activities governed by the natural resources protection laws, including the alteration of wetlands, would be regulated exclusively by the Maine Land Use Regulation Commission within the unorganized and deorganized areas of the State.

The bill also proposed modifying the membership requirements to serve on the Maine Land Use Regulation Commission. Rather than requiring that 4 members be residents of the commission's jurisdiction, the bill would require that all 7 members reside in, work in or have special knowledge of the needs and issues affecting the unorganized and deorganized areas of the State.

The bill proposed amending the process by which rezoning requests are approved by the commission and . expanding the requirements to maintain regional field offices for the benefit of residents of the unorganized and deorganized areas. It proposed extending the statutory time restrictions for certain actions by the commission. The bill also proposed many minor revisions to the statutes of the Maine Land Use Regulation Commission to delete or update obsolete language or unnecessary provisions and to clarify the commission's process for rulemaking and public hearings. This bill was submitted on behalf of the Department of Conversation.

Committee Amendment "A" (S-261) proposed removing provisions from the original bill that transferred certain regulatory review authority from LURC to the Department of Environmental Protection. It proposed modifications to the membership requirements to serve on the Maine Land Use Regulation Commission. It proposed requiring that all nominees to the commission have knowledge of the needs and issues affecting the unorganized and deorganized areas of the State, and that 2 members be residents of the commission's jurisdiction. It proposed shortening the time restrictions in the original bill. It proposed authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session regarding reassigning regulatory authority for LURC and the Department of Environmental Protection.

House Amendment "A" (H-591) corrects an omission in the committee amendment regarding criteria for amendment of land use district boundaries.

Enacted law summary

Public Law 1999, chapter 333 provides that all activities governed by the natural resources protection laws, including the alteration of wetlands, be regulated exclusively by the Maine Land Use Regulation Commission within the unorganized and deorganized areas of the State. It modifies the membership requirements to serve on the Maine Land Use Regulation Commission; requiring that all nominees to the commission have knowledge of the needs and issues affecting the unorganized and deorganized areas of the State, and that 2 members be residents of the commission's jurisdiction. It extends time restrictions imposed on certain actions by the commission. It makes many minor revisions to the statutes of the Maine Land Use Regulation Commission to delete or update obsolete language or unnecessary provisions and to clarify the commission's process for rulemaking and public hearings. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session regarding reassigning regulatory authority for LURC and the Department of Environmental Protection.

LD 1674 An Act to Exempt from Certain Regulations Crabmeat That Does Not CARRIED OVER
Cross State Lines

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

LD 1674 proposes exempting home-based crabmeat processors from any critical control point identification program administered by the Department of Agriculture, Food and Rural Resources pursuant to the United States Food and Drug Administration's seafood hazard analysis critical control point regulations as long as all the crabmeat processed by that person is sold for consumption in the State. The bill proposed requiring such crabmeat to be clearly labeled "Not for sale or consumption outside the State of Maine."

The bill also proposes requiring the Commissioner of Agriculture, Food and Rural Resources to reimburse all home-based crabmeat processors for fees paid to attend training and educational meetings on the United States Food and Drug Administration's seafood hazard analysis critical control point regulations.

LD 1689

An Act to Protect Holders of Camp Lot Leases

ONTP

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

LD 1689 proposed limiting the annual rent charged under a camp lot lease to not more than three times the annual property taxes for that camp lot. The bill also proposed prohibiting the termination of a camp lot lease for any reason other than failure of the lessee to pay property taxes. The bill would require that a lessor clearly mark the boundaries of a camp lot and maintain a map of the frontage and boundary lines of the lot. Upon termination of the lease, the lessee would be entitled to reimbursement of costs incurred by the lessee during the term of the lease for improvements to the property.

The provisions of this bill would have applied to camp lots located within the jurisdiction of the Maine Land Use Regulation Commission and only to leases executed, renewed or extended after January 1, 2000.

Committee Amendment "A" (H-335) was the minority report of the committee. It proposed removing the provisions in the original bill that prohibited termination of a camp lot lease except for failure to pay property taxes, required the lessor to clearly mark boundaries and required reimbursement to the lessee for costs incurred by the lessee for improvements to the leased property. It proposed to retain the provision limiting the annual rent to not more than three times the annual property taxes of the camp lot. The minority report was not adopted.

LD 1699

An Act to Ensure Compliance With Disability Access Laws by the Baxter DIED BETWEEN State Park Authority BODIES

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

LD 1699 proposed to prohibit the Baxter State Park Authority from adopting rules that would not be in conformance with state and federal laws that deal with persons with disabilities. It proposed a process for public notice prior to rulemaking.

Committee Amendment "A" (H-381) was the committee minority report. It proposed removing the preadoption provisions for rulemaking in the original bill. It also proposed removing language in the bill that "notwithstands" the purpose section in law for Baxter State Park. The purpose section contains references to Governor Baxter's expressed desires for the park. The minority report was not adopted.

LD 1709

An Act to Strengthen Maine's Animal Welfare Laws

ONTP

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

LD 1709 proposed a definition of proper shelter in the criminal cruelty to animals statute. The proposed language tracked the language currently contained in the law governing civil violations. (See bill summary for LD 742)

LD 1737

An Act to Eliminate the Use of Nongovernmental Entities in Acquiring and Managing Lands

INDEF PP

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

LD 1737 proposed amending the law pertaining to the use of the Land for Maine's Future Fund and the Public Access to Maine Waters Fund for acquiring and managing significant natural lands in Maine. It would have prohibited distribution of these funds to private nonprofit organizations and other designated nongovernmental bodies for the purpose of acquiring lands. It also would have prohibited management of these lands by nongovernmental entities.

Committee Amendment "A" (H-491) was the minority report. It proposed to add a fiscal note to the bill. The minority report was not adopted.

LD 1738

Resolve, to Allow the Modification of a Conservation Easement on Property Leased to Robert Vadas

ONTP

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

LD 1738 proposed modifying a conservation easement to allow an outhouse to remain in its present location.

LD 1757

An Act to Support the Work of the Maine Rabies Work Group

ONTP

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

LD 1757 proposed requiring the Bureau of Health to coordinate and keep records of interdepartmental efforts to respond to the presence of rabies in the State. This bill also proposed that the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Human Services and the Department of Inland Fisheries and Wildlife continue to collaborate on efforts to respond to the presence of rabies in the State including working with the informal Maine rabies work group. This bill proposed an appropriation of \$1,000 for the biennium to pay the administrative expenses incurred by the Bureau of Health to carry out the purposes of this bill.

LD 1844

An Act to Protect Taxpayers Against Open-ended Maintenance Expenditures on Property Transferred to the State

ONTP

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

LD 1844 proposed requiring a person or organization donating land to the State to provide for the future maintenance and upkeep of the land. If the provisions for the future maintenance and upkeep of the land were not adequate at the time of the proposed transfer, the bill proposed that the State or its designated agency be prohibited from accepting the donation.

LD 1854

An Act to Require Posting of Regulations on Public Lands

ONTP

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

LD 1854 proposed requiring the Bureau of Parks and Lands to post signs to detail any restrictions on use or access, such as "no hunting" or "no fishing," that the bureau has placed on a park, historic site, public reserved land or nonreserved public land.

LD 1868

An Act to Preserve Public Access and Job Opportunities in the Maine Woods

ONTP

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

LD 1868 proposed creating the Maine Woods Act and establishing the Maine Woods Board as a public instrumentality of the State. The board's central duties would have been to support sustainable forestry and provide public access and recreational opportunities through the acquisition and maintenance of forest lands. The bill proposed independent bonding authority to support the Maine Woods Fund, as established in this bill.

Committee Amendment "A" (H-554) was the minority report. It would have required the deed for all lands acquired under the Maine Woods Act to contain a clause specifying that the land be used for timber harvesting and management. It also proposed striking out the provisions in the bill regarding eminent domain. The minority report was not accepted.

LD 1888

An Act to Amend the Laws Relating to Development and Centralized Listing of Municipal Ordinances that Apply to Forestry Practices

PUBLIC 263

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ	H-527 PIEH
COWGER	ONTP MIN	S-211

LD 1888 proposed amending the laws relating to development of municipal timber harvesting ordinances by requiring the ordinances to be consistent with the definitions of forestry terms established in the Maine Revised Statutes, Title 12, section 8868 as well as those in rules adopted by the Department of Conservation. It also proposed a 90-day period within which the validity of the adoption of a timber harvesting ordinance could be challenged based on an alleged failure to comply with certain notice requirements. It also proposed minor changes to the notice and hearing procedures for adopting municipal timber harvesting ordinances.

Committee Amendment "A" (S-211) was the majority report of the committee. It proposed a section on funding and a fiscal note to the bill. The majority report was adopted.

House Amendment "A" (H-527) proposed changing the date by which municipal timber harvesting ordinances must meet the standard of compliance from January 1, 2000 to January 1, 2001.

Enacted law summary

Public Law 1999, chapter 263 amends the laws relating to development of municipal timber harvesting ordinances by requiring the ordinances to be consistent with the definitions of forestry terms established in the Maine Revised Statutes, Title 12, section 8868 as well as those in rules adopted by the Department of Conservation by January 1, 2001. It requires notice of a public hearing to review a proposed forest practices ordinance or amendment to be mailed at least 14 days prior to the hearing to all landowners whose land is in or abuts a zone or district affected by the proposed ordinance or amendment. Mailed notice is not required when an ordinance is being amended for definitional compliance. It provides for a 90-day period within which the validity of the adoption of a timber harvesting ordinance may be challenged based on an alleged failure to comply with certain notice requirements.

It requires representatives of the Department of Conservation to be given the opportunity to present information at a public hearing on a forest practices ordinance. It requires the Department of Conservation to pay municipalities for costs associated with notification requirements.

LD 1889

An Act to Amend the Maine Milk Laws

PUBLIC 362

Sponsor(s)
NUTTING J
PIEH

Committee Report
OTP-AM

Amendments Adopted
S-272

LD 1889 proposed repealing and replacing certain statutes governing the production and distribution of milk and milk products. This bill proposed granting the Department of Agriculture, Food and Rural Resources continued regulatory authority to adopt rules that reflect the standards outlined by the United States Department of Health and Human Services, Food and Drug Administration in the Pasteurized Milk Ordinance and clarifying the licensing fee schedule for milk distributors. This bill was submitted on behalf of the Department of Agriculture, Food and Rural Resources.

Committee Amendment "A" (S-272) proposed replacing the original bill. It would retain several sections of statute proposed for repeal in the original bill. This bill proposed directing the Department of Agriculture, Food and Rural Resources to provisionally adopt major substantive rules for the inspection, licensing, testing, labeling and sanitation of milk and milk products. It proposed authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation relating to the milk laws during the Second Regular Session of the 119th Legislature.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 362 repeals several sections of a statute governing the production and distribution of milk and milk products. It directs the Department of Agriculture, Food and Rural Resources to provisionally adopt major substantive rules for the inspection, licensing, testing, labeling and sanitation of milk and milk products. It requires these rules to be submitted to the Legislature no later than January 3, 2000 and authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation relating to the milk laws during the Second Regular Session of the 119th Legislature.

LD 1960 An Act to Change the Names of Divisions within the Bureau of Forestry PUBLIC 155
to More Accurately Reflect the Roles and Duties of Those Divisions

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY KILKELLY	OTP-AM	

LD 1960 proposed changing the names of the Department of Conservation, Division of Forest Fire Control to the Division of Forest Protection and the Division of Insect and Disease Management to the Division of Forest Health and Monitoring to more accurately reflect the responsibilities of each division. This bill was submitted on behalf of the Department of Conversation.

Enacted law summary

Public Law 1999, chapter 155 changes the names of the Department of Conservation, Division of Forest Fire Control to the Division of Forest Protection and the Division of Insect and Disease Management to the Division of Forest Health and Monitoring to more accurately reflect the responsibilities of each division.

LD 1974 Resolve, to Transfer a Parcel of State Land to the Town of Carrabassett RESOLVE 41
Valley

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT MCGLOCKLIN	OTP-AM	H-538 PIEH S-210

LD 1974 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to negotiate the transfer of certain public reserved land owned by the State to the Town of Carrabassett Valley and requiring the proceeds from the sale to be used to acquire additional real estate in the same county as the transferred land.

Committee Amendment "A" (S-210) proposed changing the acreage of the transfer and removing language relating to a previously transferred parcel. It also proposed allowing the Town of Carrabassett Valley to lease portions of the property for uses consistent with the uses specified in the resolve. It proposed adding to those uses hunting and timber management and increasing the amount of land that the Town of Carrabassett Valley could develop under the terms of the deed.

The amendment also proposed to add a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-538) proposes to correct the fiscal note on the committee amendment.

Enacted law summary

Resolve 1999, chapter 41 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to negotiate the transfer of certain public reserved land owned by the State to the Town of Carrabasset Valley. It requires the proceeds from the sale to be used to acquire additional real estate in the same county as the transferred land for the same purposes. The land to be transferred is subject to restrictions on development and must be used for public outdoor recreation. The Town of Carrabasset Valley may lease portions of the property for uses consistent with the uses specified in the resolve, including hunting and timber management. The Town of Carrabasset Valley can develop up to 25 acres under the terms of the deed.

LD 1979 **An Act to Limit the Percentage of Forest Products Harvested from Certain Lands That May Be Sold to a Foreign Country** **ONTP**

<u>Sponsor(s)</u> CASSIDY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1979 proposed limiting the amount of forest products harvested on certain lands that could be transported to foreign countries. The restrictions would have applied to people owning 5,000 acres of land or more. The bill would have limited exports to 10% of the total volume of annual forest products harvested on these ownerships.

LD 1980 **An Act to Provide Labeling for Cider** **PUBLIC 175
EMERGENCY**

<u>Sponsor(s)</u> KILKELLY RINES	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-119
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LD 1980 proposed mandatory labeling of unpasteurized cider to state that product was not pasteurized.

Committee Amendment "A" (S-119) proposed language to replace the original bill. It proposed specifying accepted processing methods for cider and requiring a warning label for cider that was not processed in accordance with these methods. It also proposed adding an emergency preamble and emergency clause. It also exempts hard cider from the cider labeling restrictions and requirements. It also adds a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 175 specifies accepted processing methods for cider and requires a warning label for cider that is not processed in accordance with these methods. Hard cider is exempted from the cider labeling restrictions and requirements.

Chapter 175 was enacted as an emergency measure effective May 13, 1999.

LD 1985 **An Act to Require the Labeling of Irradiated Food Sold at Retail** **CARRIED OVER**

<u>Sponsor(s)</u> ETNIER	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1985 proposed prohibiting the retail sale of irradiated food unless the food is labeled "irradiated food."

LD 1987

An Act to License Hikers, Canoeists, Kayakers and Off-road Bicyclists

ONTP

<u>Sponsor(s)</u> JOY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1987 proposed establishing a recreational license to be issued by the Commissioner of Conservation to any resident or nonresident who engaged in hiking, canoeing, kayaking or off-road bicycling in the State. A person would be exempt from this requirement if the person were hiking, canoeing, kayaking or off-road bicycling on the land of the person or the person's immediate family or if the person possessed a valid hunting or fishing permit or a license to operate a snowmobile or all-terrain vehicle. Proposed fees for the recreational license ranged from \$5 for a resident who is under 16 years of age to \$48 for a nonresident who is 16 years of age or older. All fees would be used for trail maintenance and enforcement of the licensing provision to be divided between the Department of Conservation, Bureau of Parks and Lands and the Department of Inland Fisheries and Wildlife.

LD 1999

**Resolve, to Create a Committee to Establish a Memorial Dedicated to the
Civilian Conservation Corps**

RESOLVE 83

<u>Sponsor(s)</u> DUPLESSIE CATHCART		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-305 H-767 DUPLESSIE
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LD 1999 proposed creating a 9-member Committee to Establish a Memorial Dedicated to the Civilian Conservation Corps.

Committee Amendment "A" (H-305) proposed adding an appropriation section and a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-767) proposed changes in the composition of the committee. It proposed deauthorizing payment of any reimbursement or expenses to the members of the committee and amending the fiscal note and striking the appropriations section to reflect this change.

Enacted law summary

Resolve 1999, chapter 83 establishes the Committee to Establish a Memorial Dedicated to the Civilian Conservation Corps. The committee is charged with studying issues relating to the funding, location and inscription of a memorial. The committee consists of 2 to 4 former members of the Civilian Conservation Corps and one member of the House of Representatives. The committee is required to submit its report to the Second Regular Session of the 119th Legislature by January 14, 2000.

LD 2005

**Resolve, to Establish the Maine Forest Policy Round Table Study
Commission**

CARRIED OVER

<u>Sponsor(s)</u> VOLENIK		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 2005 proposes establishing the Maine Forest Policy Round Table Study Commission to address and study key forestry issues, including economic and labor issues, and to make recommendations for changes in the State's forestry policy.

LD 2006

An Act to Eliminate the Dog Licensing Requirement

ONTP

<u>Sponsor(s)</u> BUMPS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2006 proposed repealing licensing requirements for dogs.

LD 2007

An Act to Amend the Laws Concerning Abuse of Domesticated Animals

ONTP

<u>Sponsor(s)</u> AHEARNE BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2007 proposed amendments to the laws concerning abuse of domesticated animals. The bill proposed adding transporting an animal in a manner injurious to its health, safety or physical well-being and the crime of aggravated cruelty to animals as criminal violations of cruelty to animals. The bill proposed repealing the section of law that allows an owner to shoot a cat or dog. It proposed adding as a penalty for cruelty to animals that a court order a defendant to pay for the cost of caring for an animal pending the decision of the court. The bill also proposed changing the fine for a second or subsequent offense of cruelty to animals to not less than \$500. (See bill summary for LD 742)

LD 2065

An Act to Amend the Posting Requirements of Harvested Wood Lots

ONTP

<u>Sponsor(s)</u> TRAHAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2065 proposed removing the requirement that notification forms containing certain information about timber harvesting be posted at the site of the harvesting. (See bill summary LD 407)

LD 2066

An Act to Amend the Laws Relating to Slash Disposal along Highways and Railroad and Utility Corridors

PUBLIC 332

<u>Sponsor(s)</u> COWGER KIEFFER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-524
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LD 2066 proposed amending the laws governing the disposal of slash by a landowner who cuts forest growth on land that is within or borders on the right-of-way of a public highway, railroad or utility and the laws governing the disposal of slash accumulated by utility line construction or maintenance. This bill was submitted on behalf of the Department of Conversation.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY PIEH	OTP-AM	S-305 S-379 KILKELLY

LD 2108 proposed repealing current law and enacting a new provision governing liability for equine activities. It proposed giving equine activity sponsors, equine professionals and other persons immunity from liability for property damage or damages arising from personal injury or death of a participant or spectator resulting from the inherent risks of equine activities. The inherent risks of equine activities are defined in the bill. The bill proposed explicit exceptions to the liability protection.

Committee Amendment "A" (S-305) proposed an exception from the proposed liability protection when an equine activity occurs in a place designated for spectators or in a place where an equine activity would not be expected to occur.

Senate Amendment "C" (S-379) proposed several technical changes to the bill. The amendment proposed allowing an equine professional to assert immunity from liability for injury or death of a person resulting from the inherent risks of equine activity only if the professional has posted a sign notifying the participant of those inherent risks and the limitation on the liability of the equine professional or has obtained a signed written statement from the person containing the notification of inherent risks and liability.

This amendment also proposed specifying that an equine activity sponsor, professional or other person is not immune from liability if that person causes injury or damage to another person by committing an act or omission that constitutes "reckless" disregard for the safety of others. The original bill specified that an equine activity sponsor, professional or other person is not immune from liability if that person causes injury or damage to another person by committing an act or omission that constitutes "intentional" disregard for the safety of others.

Enacted law summary

Public Law 1999, chapter 498 repeals current law and enacts a new provision governing liability for equine activities. Chapter 498 gives equine activity sponsors, equine professionals or other persons immunity from liability for property damage or for personal injury or death of a participant or spectator resulting from the inherent risks of equine activities. An equine professional is allowed to assert immunity from liability for injury or death of a person resulting from the inherent risks of equine activity only if the professional has posted a sign notifying the participant of those inherent risks and the limitation on the liability of the equine professional or has obtained a signed written statement from the person containing the same notification of inherent risks and liability limitations.

Specific exceptions to the liability limitations are provided. An equine activity sponsor, professional or other person is not eligible for immunity if that person causes injury or damage to another person by committing an act or omission that constitutes reckless disregard for the safety of others.

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

LD 2179 proposed directing the Maine Forest Service to develop recommendations to end the practice of liquidation harvesting in Maine's forests.

Committee Amendment "A" (H-640) proposed directing the Maine Forest Service to develop recommendations to address poor forest practices. The Maine Forest Service would be charged with defining poor forest practices including timber liquidation harvesting. It also proposed to add a fiscal note to the resolve. This amendment was the majority report. It was not adopted.

LD 2190 **Resolve, to Provide for the Implementation of a Maine Meat Inspection Program** **RESOLVE 68
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY PIEH	OTP-AM	S-274 S-388 MICHAUD

LD 2190 proposed reestablishing the Maine Meat Inspection Act.

Committee Amendment "A" (S-274) proposed replacing the original bill with a resolve directing the Department of Agriculture, Food and Rural Resources to study and develop an implementation plan for a Maine meat inspection program. It proposed requiring the department to make recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry and authorizing the committee to report out legislation as a result of this report. It proposed an appropriation of \$70,000 to carry out the study. This amendment also proposed to add an emergency preamble, emergency clause and a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-388) proposed to clarify that this funding is on a one-time basis.

Enacted law summary

Resolve 1999, chapter 68 directs the Department of Agriculture, Food and Rural Resources to study and develop an implementation plan for a Maine meat inspection program. The department is required to make recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 3, 2000. The committee is authorized to report out legislation during the second session of the 119th Legislature. The department is appropriated \$70,000 to carry out this study.

Chapter 68 was enacted as an emergency measure effective June 11, 1999.

LD 2218 **Resolve, Authorizing Certain Land Transactions by the Department of Conservation, Bureau of Parks and Lands** **RESOLVE 50**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	OTP-AM	S-273

LD 2218 proposed authorizing two land transactions by the Director of the Bureau of Parks and Lands within the Department of Conservation; an exchange of the State's interest in land in the Town of Gray for a larger parcel in the Town of Gray that is adjacent to other lands held by the State and an exchange of rights of way to enhance access to state lands located in T10, S. D., Hancock County.

Committee Amendment "A" (S-273) proposed changes on the language pertaining to the exchange of rights of way in T10, S. D., in Hancock County. It proposed clarifying that the road constructed must meet the specifications of the Bureau of Parks and Lands and that the bureau must relinquish the existing rights-of-way upon approval of the road. It proposed clarifying that no other easements are being released by the State. It proposed a condition that the Hennigs convey two access easements to Fox Pond to allow continued traditional use and access at those sites. The amendment also added a fiscal note to the bill.

Enacted law summary

Resolve 1999, chapter 50 authorizes 2 land transactions by the Director of the Bureau of Parks and Lands within the Department of Conservation. This authorization is required under the Constitution of Maine, Article IX, Section 23. The first transaction involves an exchange of the State's interest in land in the Town of Gray for a larger parcel in the Town of Gray that is adjacent to other lands held by the State. The land exchange enables the bureau to add 53 acres to the Pineland Unit, while conveying 4 acres. The 53-acre parcel has approximately 3,000 feet of frontage on the Royal River and the property will be managed for multiple use.

The second transaction involves an exchange of the rights of way to enhance the access to state lands located in T10, S. D., Hancock County. It provides for continuing access to Fox Pond for traditional use.

LD 2246

An Act to Amend the Nutrient Management Laws

**PUBLIC 530
EMERGENCY**

Sponsor(s)
NUTTING

Committee Report
OTP

Amendments Adopted
S-430

LD 2246 was the unanimous committee report of the Joint Standing Committee on Agriculture, Conservation and Forestry as authorized by P. L. 1997, chapter 642, An Act Regarding Nutrient Management. This bill proposed extending the moratorium on swine feeding operation until October 1, 2001. It proposed requiring the Department of Environmental Protection and the Department of Agriculture, Food and Rural Resources to enter into a memorandum of agreement on a process for issuing permits under the National Pollutant Discharge Elimination System. It proposed several amendments to clarify the nutrient management laws and to facilitate implementation of the nutrient management program.

Senate Amendment "A" (S-430) proposed a mandate preamble to indicate that local governments will be required by this Act to modify their activities. The preamble is needed because of the property tax exemption for waste management facilities. This amendment also proposed eliminating the appropriation to fund 2 positions and operating costs to administer the nutrient management program. (See bill summary for LD 623 for funding approved for this program).

Enacted law summary

Public Law 1999, chapter 530 extends the moratorium on new swine feeding operation until October 1, 2001. It requires the Department of Environmental Protection and the Department of Agriculture, Food and Rural Resources to enter into a memorandum of agreement on a process for issuing permits under the National Pollutant Discharge Elimination System.

In addition, it makes several changes to the nutrient management laws. It clarifies when utilization of a regulated residual requires a nutrient management plan. It provides processes for the Commissioner of Agriculture to revoke a certification to prepare nutrient management plans or a livestock operations permit. It clarifies that minimum setbacks required in a plan for manure storage, stacking and spreading must be site specific. It requires the nutrient management plan to provide for storage of manure for a minimum of 180 days. It establishes compliance dates for nutrient management plans and authorizes the Commissioner of Agriculture to grant variances.

