

## Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 449**                      **An Act Requiring Disclosures to be Made to Purchasers of Land  
Abutting Agricultural Land**                      **ONTP**

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

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

**LD 477**                      **An Act to Establish Standards and Conditions for Designation of  
Ecological Reserves on Lands Managed by the Bureau of Parks  
and Lands**                      **PUBLIC 592**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY DUNLAP	OTP-AM	S-500 S-510 NUTTING J

LD 477 proposed 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.

**Committee Amendment "A" (S-500)** proposed replacing the original bill. The amendment proposed enacting a definition of "ecological reserve" and allowing the Director of the Bureau of Parks and Lands to designate as an ecological reserve under the jurisdiction of the bureau lands that were listed as parcels for potential ecological reserve designation in the 1998 published inventory. It proposed allowing the director to designate additional land as an ecological reserve during the process of adopting a management plan for that parcel of land.

The amendment proposed specifying uses allowed on ecological reserves. It proposed prohibiting timber harvesting, commercial mining and excavation of sand and gravel on ecological reserves. It proposed providing limits on the total acreage within the jurisdiction of the Bureau of Parks and Lands that may be designated as ecological reserves and limiting the amount of operable timberland that may be designated as ecological reserves. It proposed requiring wildfires to be controlled and specifies allowed protection measures. It proposed requiring the director to include information on ecological reserves in the director's annual reports to the Legislature on reserved and nonreserved public lands.

**Senate Amendment "A" to Committee Amendment "A" (S-510)** proposed clarifying that more than one ecological reserve may be designated on parcels of land included in the inventory and that more than one additional reserve may be authorized.

***Enacted law summary***

Public Law 1999, chapter 592 enacts a definition of "ecological reserve" and allows the Director of the Bureau of Parks and Lands to designate as an ecological reserve lands under the jurisdiction of the bureau that were listed as parcels for potential ecological reserve designation in the 1998 published inventory. In the process of adopting a management plan for a parcel of land that was not in the 1998 inventory, the director may designate additional land as an ecological reserve.

Chapter 592 specifies uses allowed on ecological reserves. It prohibits timber harvesting, commercial mining and excavation of sand and gravel on ecological reserves. It provides limits on the total acreage within the jurisdiction of the Bureau of Parks and Lands that may be designated as ecological reserves and limits the amount of operable timberland that may be designated as ecological reserves. It requires wildfires to be controlled and specifies allowed protection measures. It requires the director to include information on ecological reserves in the director's annual reports to the Legislature on reserved and nonreserved public lands.

**LD 855**                      **An Act to Improve the Management of the Allagash Wilderness Waterway**                      **ONTP**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 855 proposed requiring in statute that the principal administrative office of the Allagash Wilderness Waterway be established at Churchill Dam.

**LD 1182**                      **An Act to Amend the Qualifications of Weighmasters**                      **PUBLIC 646**

<u>Sponsor(s)</u> TESSIER PINGREE		<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN		<u>Amendments Adopted</u> H-952
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LD 1182 proposed establishing a corporate public weighmaster license.

**Committee Amendment "A" (H-952)** proposed specifying that only a person holding an individual public weighmaster's license would be allowed to issue weight certificates under a corporate license. It also proposed a penalty for a corporate licensee who allowed a nonlicensed individual to issue weight certificates.

***Enacted law summary***

Public Law 1999, chapter 646 establishes a corporate public weighmaster license. Only a person holding an individual public weighmaster's license is allowed to issue weight certificates under a corporate license. The individual weighmaster issuing a weight certificate must be identified by number on the corporate seal.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ	H-1134 MARTIN
DUNLAP	OTP-AM MIN	S-747 MICHAUD

LD 1332 proposed repealing the current law and inserts in the Maine Criminal Code a prohibition on confined animal hunting operations, described as selling or offering to sell the opportunity to hunt an animal that is owned, controlled, confined or artificially enclosed for the purpose of facilitating the opportunity to hunt the animal. This bill proposed designating operation of confined animal hunting operations as a Class E crime.

The current cruelty-to-animals law prohibits hunting or selling for the purpose of hunting any animal that is not covered by the provisions of the Maine Revised Statutes, Title 12, Part 10, the laws administered and enforced by the Department of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-655)** proposed the majority committee report to replace the original bill. It proposed provisions for the Commissioner of Agriculture, Food and Rural Resources to issue a commercial large game shooting area license to existing operations that meet certain criteria and to regulate those operations. It proposed that the licenses expire no later than October 31, 2002, and at that time selling or offering to sell the opportunity to kill an animal that is owned or confined would be a Class D crime. This amendment was not adopted.

**Committee Amendment "B" (S-656)** proposed the minority committee report to replace the original bill. It proposed provisions for the Commissioner of Agriculture, Food and Rural Resources to issue a commercial large game shooting area license to operations that meet certain criteria. It differed from the majority report in that it allowed new operations to be licensed. It restricted the number of licenses issued per county and proposed allowing commercial large game shooting areas in only 8 counties. It allowed a license to be transferred. It differed from the majority report in that it did not propose prohibiting commercial hunting operations in 2 years. This amendment was not adopted.

**House Amendment "A" (H-1134)** proposed replacing the bill. The amendment proposed the provisions of the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry except that it proposed removing the 2-year sunset, added bison to the game animals that could be killed in a shooting area, and allowed a license to be transferred.

**Senate Amendment "A" to House Amendment "A" (S-747)** requires the first \$1,120 collected each year in license fees and transport tag fees to be deposited in the General Fund.

#### *Enacted law summary*

Public Law 1999, chapter 765 requires a person who operates a commercial large game shooting area to obtain a license. It establishes provisions for the Commissioner of Agriculture, Food and Rural Resources to issue a commercial large game shooting area license only to operations that existed between October 1, 1999 and March 15, 2000. It prohibits killing of any animal other than domesticated deer, bison and boar on a commercial large game shooting area and defines those terms. It establishes facility requirements and weapons restrictions for these operations. It clarifies that laws pertaining to animal welfare and disease control apply to animals kept at a commercial large game shooting area.

It identifies chronic wasting disease in statute as a reportable disease. The commissioner currently determines by rule which diseases are "reportable." Any person who has knowledge of the existence of or exposure to a reportable disease is required to report this to the Department of Agriculture, Food and Rural Resources. It directs the commissioner to monitor reports of chronic wasting disease and progress in developing diagnostic tests and vaccinations for the disease and to develop a program to prevent the introduction of chronic wasting disease into the State.

Chapter 765 makes it a violation of civil and criminal cruelty to animals statutes for anyone to hunt or sell for the purpose of hunting any animal except as permitted in a licensed commercial large game shooting area or in statutes administered and enforced by the Department of Inland Fisheries and Wildlife.

**LD 1475**

**An Act to Clarify the Tree Growth Tax Law**

**ONTP**

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

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 also proposed requiring the Department of Conservation to adopt rules to establish a procedure for determining landowner compliance.

**LD 1567**

**An Act to Help Farmers to Protect the Quality of Milk**

**PUBLIC 618**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON DAVIS P	OTP-AM	H-934

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

**Committee Amendment "A" (H-934)** proposed replacing the original bill. It directs the Commissioner of Agriculture, Food and Rural Resources to develop a process for obtaining and testing samples of milk when a milk producer disputes the results of a test or a component analysis conducted by an employee of a milk plant.

***Enacted law summary***

Public Law 1999, chapter 618 directs the Commissioner of Agriculture, Food and Rural Resources to develop a process for obtaining and testing samples of milk when a milk producer disputes the results of a test or a component analysis conducted by an employee of a milk plant.

**LD 1674**

**An Act to Exempt from Certain Regulations Crabmeat That Does Not Cross State Lines**

**ONTP**

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

LD 1674 exempts 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 requires such crabmeat to be clearly labeled "Not for sale or consumption outside the State of Maine."

The bill also requires 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 1985**

**An Act to Require the Labeling of Irradiated Food Sold at Retail**

**ONTP**

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

LD 1985 proposed prohibiting the knowing retail sale of irradiated food unless the food is labeled "irradiated food."

**LD 2005**

**Resolve, to Establish the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry**

**RESOLVE 124  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLENIK	OTP-AM MAJ ONTP MIN	H-865 S-771 MICHAUD

LD 2005 proposed 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.

**Committee Amendment "A" (H-865)** proposed the majority report. It proposed replacing the original resolve and changing the name of the round table to the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry to more accurately reflect the focus of the study.

**Senate Amendment "A" to Committee Amendment "A" (S-771)** proposed changes to the committee amendment regarding the appointment of members to the round table and member compensation. It also proposed making the resolve emergency legislation.

***Enacted law summary***

Resolve 1999, chapter 124 establishes the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry. The round table consists of 19 members. Eight members are appointed by the President of the Senate and eight are appointed by the Speaker of the House. The Commissioner of Conservation, the Commissioner of Labor and the Dean of the College of Natural Sciences, Forestry and Agriculture, University of Maine or their respective designees also serve as voting members. The round table is directed to study trends in the logging industry, including employment relationships, the dynamics of import and export markets for roundwood and other forest products and the status of value-added manufacturing within the forest products industry. The round table is directed to hold a public meeting on its findings and to submit a report to the 120th Legislature by December 5, 2001.

Resolve 1999, chapter 124 was finally passed as an emergency measure effective May 8, 2000.

**LD 2086**

**An Act to Preserve the State's Farm Economy and Heritage**

**PUBLIC 763**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	S-574 S-788 MICHAUD

LD 2086 proposed creating the Maine Farms for the Future Program to assist farms in developing business plans to identify changes in farm management practices and investments in equipment and property with potential to increase the vitality of the farm.

**Committee Amendment "A" (S-574)** proposed clarifying that the approval of the Commissioner of Agriculture, Food and Rural Resources would be needed for a selected farm to receive more than \$5,000 for contracted services as part of a services package. It also proposed specifying that the annual report by the Commissioner of Agriculture, Food and Rural Resources on this program be made to the joint standing committee having jurisdiction over agricultural matters.

**Senate Amendment "A" to Committee Amendment "A" (S-788)** proposed reducing the appropriation from \$1,066,728 to a one-time appropriation of \$200,000 and requiring the Department of Agriculture, Food and Rural Resources to contract with an organization that would provide \$200,000 matching nonstate funds for a program total of \$400,000. The amendment proposed prohibiting the contracting organization from expending more than 15% per year of the cost of the program or \$125,000 over the life of the program for administration.

***Enacted law summary***

Public Law 1999, chapter 763 creates the Maine Farms for the Future Program. This program provides funds to assist farms in developing business plans to identify changes in farm management practices and investments in equipment and property with potential to increase the vitality of the farm.

The program operates in 2 phases; the first phase allows a farm that has 5 or more acres of land in agricultural use to apply for assistance in developing a business plan and the 2nd phase allows a farm that has developed a business plan with the program to apply for investment support to implement the plan. A review panel evaluates and selects applications for participation in the program.

A farm selected in the first phase must enter into a 5-year first farmland protection agreement in which the farmer agrees to protect the farmland from nonagricultural development. A farm selected under the second phase must enter into an additional 5-year farmland protection agreement. The 5-year period must run consecutively with the first farmland protection agreement. The farm may withdraw from the agreement at any point if the farmer repays the program for any outside service reimbursement and any direct services provided the farm by the program.

The Department of Agriculture, Food and Rural Resources is required to contract for the administration of the program through a competitive process. The department is responsible for executing and enforcing the farmland protection agreements. The organization receiving the contract is responsible for promoting the program to farms in the State, organizing the review panel, developing selection criteria for both phases of the program, administering the disbursement of funds, and making a yearly progress report on the program to the Legislature. Chapter 763 appropriates \$200,000 to capitalize the program and specifies that the organization selected to administer the program must provide a \$200,000 match.

**LD 2295                      An Act to Clarify Granting Authority Under the Agricultural                      PUBLIC 563**  
**Development Grant Program**

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

LD 2295 proposed allowing grants for technical assistance as one category of grants available under the Maine Revised Statutes, Title 7, section 436. This category of grants was inadvertently deleted in Public Law 1999, chapter 72.

***Enacted law summary***

Public Law 1999, chapter 563 allows grants for technical assistance as one category of grants funded from interest on the balance of the Agricultural Marketing Loan Fund.

**LD 2306                      An Act to Amend the Animal Welfare Laws                      PUBLIC 597**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER	OTP-AM    MAJ ONTP        MIN	H-834

LD 2306 proposed amending the late fee for licensing a dog from \$3 to \$10. It also proposed amending the procedures for euthanizing stray dogs by allowing an authorized municipal agent to authorize in writing the euthanasia of severely sick, severely injured or extremely vicious dogs.

This bill also proposed removing the discretion of the court to order psychiatric or psychological counseling at the defendant's expense in matters involving cruelty to animals.

**Committee Amendment “A” (H-834)** proposed removing the section of the bill that proposed to amend provisions for euthanasia of stray dogs. It also proposed changing the late fee for dog licensing from the

current late fee of \$3 to \$5 for municipalities that do not issue a warrant and clarified that, in municipalities that do issue late warrants, the late fee for dog licensing is \$10. It proposed removing language allowing the court to order a psychological evaluation for a person who violates the civil laws regarding cruelty to animals.

***Enacted law summary***

Public Law 1999, chapter 597 changes the late fee for dog licensing from the current late fee of \$3 to \$5 for municipalities that do not issue a warrant and clarifies that, in municipalities that do issue late warrants, the late fee for dog licensing is \$10. It also removes statutory language allowing the court to order a psychological evaluation for a person who violates the civil laws regarding cruelty to animals.

**LD 2313                      An Act to Increase the Rate of Pay for Forest Fire Wardens**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u> FERGUSON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-520
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LD 2313 increases the rate of pay for forest fire wardens to \$500 per year from \$100 per year.

**Committee Amendment "A" (S-520)** proposed replacing the original bill. It proposed providing for a forest fire warden to be paid not less than \$100 nor more than \$500, with the amount determined by the warden's completion of specified training and duties.

**LD 2340                      An Act to Specify Eligibility for Land Purchases Under the  
Agricultural Marketing Loan Fund**

**PUBLIC 593**

<u>Sponsor(s)</u> CROSS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-833
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LD 2340 proposed specifying the types of land purchases eligible for a loan under the Agricultural Marketing Loan Fund.

***Enacted law summary***

Public Law 1999, chapter 593 specifies the types of land purchases eligible for an agricultural marketing loan. An agricultural marketing loan may be used to purchase new cranberry acreage, land to provide direct access to water for irrigation, land for the start-up of a new agricultural enterprise and the expansion of an existing agricultural enterprise when the land purchase is necessary to comply with land use regulations. It restricts the amount of a loan for a land purchase by a new agricultural enterprise to \$100,000.

**LD 2369**

**An Act to Require Camp Lot Leases to Include a Clear Statement of Fact**

**ONTP**

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

LD 2369 proposed requiring camp lot leases to include information, in clear, understandable language, regarding the lease fees and what they cover, the responsibilities of the lessee and lessor regarding roads and other maintenance, the designated contact person for lessee concerns and the amount of and an explanation of any fees such as liability insurance. It also proposed requiring a copy of any such insurance policy to be given to the lessee upon request.

**Committee Amendment "A" (S-614)**, the minority report, proposed adding to the list of information that must be contained in camp lot leases the formula used to calculate lease fees, the time period covered by the lease and a description of the lot and its boundaries. It proposed language to clarify that the lessor must provide a copy of the insurance policy only when the lessor requires or provides insurance to lessees through a group plan. The minority report was not adopted.

**LD 2376**

**An Act to Change the Name of the Natural Resources Information and Mapping Center to More Accurately Reflect its Roles and Duties and to Correct Inconsistent Statutes**

**PUBLIC 556**

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

LD 2376 proposed changing the name of the Natural Resources Information and Mapping Center to the Bureau of Geology and Natural Areas to more accurately reflect the responsibilities and duties performed by the center.

***Enacted law summary:***

Public Law 1999, chapter 556 changes the name of the Natural Resources Information and Mapping Center to the Bureau of Geology and Natural Areas to more accurately reflect the responsibilities and duties performed by this bureau within the Department of Conservation.

LD 2392

**An Act to Provide Safety for Forest Rangers and the Public**

**DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEIDRICH	OTP-AM    A	
BENNETT	ONTP      B	

LD 2392 proposed requiring law enforcement officers within the Department of Conservation, Division of Forest Protection to have training equivalent to other law enforcement personnel and authorizing the use of personal protective equipment.

This bill also proposed repealing the provision in Public Law 1999, chapter 352 that requires the Commissioner of Conservation to sell bullet-proof vests, firearms and related equipment for the use of certain Bureau of Forestry employees and the provision that prohibits the commissioner from purchasing similar equipment.

**Committee Amendment “A” (H-836)** proposed allowing a forest ranger or a State Supervisor, Division of Forest Protection employed prior to July 1, 2000 to continue serving in that capacity without successfully completing the training required of persons appointed to those positions after July 1, 2000. It proposed language to clarify that appointments after July 1, 2000 would be contingent on successful completion of law enforcement training and certification. It proposed directing the Commissioner of Conservation to work with the Commissioner of Public Safety to establish a schedule for completion of training and certification no later than July 1, 2003 at the Maine Criminal Justice Academy.

LD 2435

**An Act to Implement the State Policy to Minimize Reliance on Pesticides**

**ONTP**

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

LD 2435 proposed appropriating \$150,000 to the Department of Agriculture, Food and Rural Resources to establish an Integrated Pest Management Research Fund.

LD 2448

**An Act to Improve Licensing Efficiency within the Department of Agriculture, Food and Rural Resources**

**PUBLIC 598**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER	OTP-AM	H-864

LD 2448 proposed to change expiration dates for licenses issued by the Commissioner of Agriculture, Food and Rural Resources for food or food salvage establishments or beverage manufacturing or bottling to coincide with the calendar year.

**Committee Amendment “A” (H-864)** proposed clarifying that any license issued after August 1, 2000 expires on December 31<sup>st</sup> of the appropriate year of expiration and that license fees must be prorated based upon the December 31<sup>st</sup> expiration date.

*Enacted law summary*

Public Law 1999, chapter 598 changes expiration dates for licenses issued by the Commissioner of Agriculture, Food and Rural Resources for food or food salvage establishments or beverage manufacturing or bottling to coincide with the calendar year.

**LD 2457**                      **Resolve, to Require the State Sealer to Conduct Spot Checks at Timber Mills**                      **RESOLVE 125**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN	OTP-AM    MAJ ONTP        MIN	H-1175 TOWNSEND H-835

LD 2457 proposed requiring the state sealer to conduct bimonthly spot checks at randomly selected timber mills to help increase the enforcement of the timber weights and measures standards.

**Committee Amendment “A” (H-835)** proposed clarifying that the state sealer is being directed to do spot checks to determine the accuracy of wood measurements and to enforce the wood measurement laws. It proposed an appropriation of \$50,613 to the Division of Quality Assurance within the Department of Agriculture, Food and Rural Resources for an additional inspector and other costs associated with increased checks.

**House Amendment “A” to Committee Amendment “A” (H-1175)** proposed replacing the original bill. It provides for an additional one-time appropriation of \$10,000 to the Division of Quality Assurance and Regulation.

*Enacted law summary*

Resolve 1999, chapter 125 provides for a one-time appropriation of \$10,000 to the Division of Quality Assurance and Regulation for additional spot checks to determine the accuracy of wood measurements and to enforce the wood measurement laws. It requires the Director of the Division of Quality Assurance and Regulation to report to the Legislature by February 15, 2001 on the enhanced monitoring.

**LD 2486**                      **Resolve, to Establish a Legislative Committee to Study Access to Private and Public Land in Maine**                      **INDEF PP**

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

LD 2486 proposed prohibiting owners or managers of parcels of land of 1,000 acres or more in the unorganized territory who charge an access fee to the forest land or restrict access to great ponds from benefiting under the tree growth tax law.

**Committee Amendment "A" (H-1057)** proposed replacing the original bill with a resolve. The resolve proposed creating the Legislative Committee to Study Access to Private and Public Lands in Maine. It proposed directing the committee to gather information and study issues relating to access to lands beyond checkpoints operated by landowners and landowner associations. LD 2486 was not enacted.

The Committee to Study Access to Private and Public Lands in Maine was established by Joint Order (H.P. 1951).

**LD 2512                      An Act to Create a State-sponsored Voluntary Logger Certification Program                      ONTP**

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

LD 2512 proposed directing the Department of Conservation, Bureau of Forestry to develop a low-cost, voluntary logger certification program. The bill would have required the program to include training in first aid and emergency medical response, best management practices and chain saw safety, timber harvesting laws and the fundamentals of forestry.

**Committee Amendment "A" (H-991)**, the minority report of the committee, proposed adding the Department of Education to the list of agencies the Bureau of Forestry must cooperate with in developing a voluntary logger certification program. It proposed expanding eligibility to participate in the program to people seeking training prior to employment in timber harvesting and landowners harvesting timber on their own land. It proposed adding an independent logger to the membership of the advisory board. It proposed requiring the Department of Conservation to report to the joint standing committee of the Legislature having jurisdiction over forestry matters by January 15, 2001 with a plan for a voluntary logger certification program. The minority report was not adopted.

**LD 2528                      Resolve, Regarding Legislative Review of Chapter (unassigned): Rules Governing the Licensing and Inspection of Farm Cheese, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources                      RESOLVE 92 EMERGENCY**

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

LD 2528 proposed legislative review of Rules Governing the Licensing and Inspection of Farm Cheese, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

***Enacted law summary***

Resolve 1999, chapter 92 authorizes final adoption of Rules Governing the Licensing and Inspection of Farm Cheese, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Resolve 1999, chapter 92 was finally passed as an emergency measure effective March 15, 2000.

**LD 2532**

**An Act to Implement the Recommendations of the Task Force to Study the Need for an Agricultural Vitality Zone Program**

**PUBLIC 769**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-548 S-761 MICHAUD

LD 2532 proposed requiring that a minimum of \$1,000,000 be available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged primarily in direct marketing. It proposed funding up to 50% of the cost of developing a business plan for an agricultural enterprise applying for a project loan under the Agricultural Marketing Loan Fund program.

It proposed several measures to assess and increase the consumption of locally grown food. It proposed allowing proceeds from the Land for Maine's Future Fund to be used for developing a business plan and capital improvements to farmland when interest in the farmland has been acquired through the Land for Maine's Future Fund.

It proposed authorizing legislation during the 120th Legislature to update and revise provisions in Title 7 regarding agricultural internship and training, agricultural awareness, purchasing of food by state institutions and in-state marketing of food produced in Maine. This bill proposed appropriating \$60,000 to the Department of Agriculture, Food and Rural Resources to assist in developing data regarding food consumption and support activities to increase sales of locally grown food.

**Committee Amendment "A" (S-548)** proposed clarifications to the original bill. It also proposed reducing the appropriation to \$20,000 and lowering the limit on funds available for developing a business plan.

**Senate Amendment "A" (S-761)** clarifies that the appropriation is one-time funding and allocates funds to the Maine Milk Commission to be used for dues associated with membership in the Northeast States Association for Agricultural Stewardship.

***Enacted law summary***

Public Law 1999, chapter 769 requires that a minimum of \$1,000,000 be available from the Agricultural Marketing Loan Fund for loans to agricultural enterprises engaged primarily in direct marketing. These loans may be for traditional equipment and other capital expenses. The requirement that the commissioner make available \$1,000,000 for these projects is repealed December 31, 2002. Chapter 769 specifies circumstances under which the Agricultural Marketing Loan Fund may be used to help fund the cost of developing a business plan for an agricultural enterprise applying for a project loan under the Agricultural Marketing Loan Fund program and sets limits on the amount of funding for the business plan.

Chapter 769 directs the Commissioner of Agriculture, Food and Rural Resources to develop information on the sources of Maine's food supply and to take actions to increase the production and sale of in-state foods. It directs the Commissioner of Agriculture, Food and Rural Resources to provide assistance to farmers' markets. It authorizes the joint standing committee of the Legislature having jurisdiction over agricultural matters to report out legislation during the 120th Legislature to update and revise provisions in Title 7 regarding agricultural internship and training, agricultural awareness, purchasing of food by state institutions and in-state marketing of food produced in Maine. It appropriates \$20,000 to the Department of Agriculture, Food and Rural Resources to assist in developing data regarding food consumption and support activities to increase sales of locally grown food.

Chapter 769 allows proceeds from the Land for Maine's Future Fund to be used for developing a business plan and capital improvements to farmland when interest in the farmland has been acquired through the Land for Maine's Future Fund.

**LD 2544**                      **Resolve, Regarding Legislative Review of Chapter 267: License Fees to Sell Nursery Stock, a Major Substantive Rule of the Department of Agriculture, Food and Rural Resources**                      **RESOLVE 93 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2544 proposed legislative review of Chapter 267: License Fees to Sell Nursery Stock, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

***Enacted law summary***

Resolve 1999, chapter 93 authorizes final adoption of Chapter 267: License Fees to Sell Nursery Stock, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

Resolve 1999, chapter 93 was finally passed as an emergency measure effective March 29, 2000.

**LD 2594**                      **An Act Regarding Forest Practices**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 2594 is a citizens' initiated bill. It proposes limits on timber harvesting on land enrolled under the Maine Tree Growth Tax Law. The harvesting limits proposed would restrict total cutting and cutting for each species group to sustainable cutting levels for any rolling 10-year average, i.e. harvesting could not exceed growth.

The bill proposes requiring a landowner to obtain a permit from the Maine Forest Service prior to undertaking harvesting activities that will result in a clear-cut. Prior to issuing a permit for a clear-cut, the Maine Forest Service would need to determine that the clear-cut is silviculturally justified, that there are

no reasonable alternatives to the proposed clear-cut and that no undue adverse ecological damage will result from the clear-cut or the clear-cutting activities.

The bill proposes the establishment of the Maine Council on Sustainable Forest Management with membership consisting of the Director of the Maine Forest Service, the Director of Baxter State Park’s scientific forestry management area and 7 members appointed by the Governor. The council would be responsible for adopting rules to implement the other provisions in the bill.

This citizens’ initiated bill was not enacted by the Legislature and, therefore, will be referred to the people to be voted on in November of 2000.

**LD 2595**                      **Resolve, Regarding Legislative Review of Chapter (Unassigned):  
Rules Governing Maine Milk and Milk Products, Major  
Substantive Rules of the Department of Agriculture, Food and  
Rural Resources**                      **RESOLVE 111  
EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-1013
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LD 2595 proposed legislative review of Rules Governing Maine Milk and Milk Products, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

**Committee Amendment "A" (H-1013)** proposed revisions to the provisionally adopted rule and requiring that documentation detailing the revisions be filed with the Secretary of State.

***Enacted law summary***

Resolve 1999, chapter 111 authorizes final adoption of Rules Governing Maine Milk and Milk Products, a major substantive rule of the Department of Agriculture, Food and Rural Resources. The Resolve specifies revisions to the provisionally adopted rule and requires documentation detailing the revisions to be filed with the Secretary of State, and adds a fiscal note.

Resolve 1999, chapter 111 was finally passed as an emergency measure effective April 12, 2000.

**LD 2596**                      **An Act to Revise the Law Protecting Farmers' Right to Farm and  
to Provide for Nutrient Management Plans to be Confidential**                      **PUBLIC 723**

<u>Sponsor(s)</u> PIEH		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-1069
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LD 2596 proposed changes to the provisions in Maine nuisance law commonly referred to as the “Right-to-Farm Law”. Current law provides that a farm operation may not be considered a nuisance if the farm operation predates a change in land use or occupancy within one mile of its borders, or if the farm operation conforms to best management practices. This bill proposed specifying that a farm that makes a material change to its farm operation after the land use change within one mile must apply best management practices to receive the protections of the right-to-farm law.

It proposed language to specify that attorney's fees may be awarded to the defendant in a nuisance lawsuit involving a complaint against a farm operation if that action was not brought in good faith.

It proposed clarifying that failure to apply best management practices may result in an enforcement action. It also proposed a separate civil violation for failure to apply best management practices as required by the Commissioner of Agriculture, Food and Rural Resources.

It proposed requiring the commissioner to conduct an educational outreach program to increase awareness of the provisions of the Maine Revised Statutes, Title 17, section 2805 and the department's best management practices.

**Committee Amendment "A" (H-1069)** proposed clarifying that the Commissioner of Agriculture, Food and Rural Resources may prescribe best management practices for any farm or farm operation when a problem is identified that is caused by the failure to use best management practices. It also proposed clarifying the actions the court may order when a person fails to apply best management practices.

This amendment also proposed specifying that nutrient management plans prepared in accordance with the Maine Revised Statutes, Title 7, chapter 747 are confidential and are not a public record.

***Enacted law summary***

Public Law 1999, chapter 723 allows the Commissioner of Agriculture, Food and Rural Resources to prescribe best management practices for any farm or farm operation when a problem is identified that is caused by the failure to use best management practices. It clarifies the actions the court may order when a person fails to apply best management practices. These actions include abatement of the nuisance, enforcing any applicable state law, injunctive relief and imposing a penalty for a separate civil violation. It requires the commissioner to conduct an educational outreach program to increase awareness of the provisions of Maine's Right-to-Farm law and best management practices.

Chapter 723 also specifies that nutrient management plans prepared in accordance with Maine's Nutrient Management Act are confidential and are not a public record.

**LD 2629**

**An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Department of Conservation Under the State Government Evaluation Act**

**PUBLIC 603**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2629 proposed placing oversight for the Land for Maine's Future Board and Program with the joint standing committee having jurisdiction over matters pertaining to state parks and public lands.

***Enacted law summary***

Public Law 1999, chapter 603 provides for the joint standing committee having jurisdiction over matters pertaining to state parks and public lands to review appointments to the Land for Maine's Future Board. It provides for the biennial report on expenditures from the Land for Maine's Future Fund and the Public

Access to Maine Waters Fund to be submitted to the joint standing committee having jurisdiction over matters pertaining to state parks and public lands.

It also provides for the Land for Maine's Future Board to be reviewed under the State Government Evaluation Act by the joint standing committee having jurisdiction over matters pertaining to state parks and public lands. Prior to enactment of chapter 603 the Government Evaluation Act provided for review of the Land for Maine's Future Board by the State and Local Government Committee as part of its review of the State Planning Office. The Natural Resources Committee reviewed appointments to the board and biennial reports were submitted to the Natural Resources Committee.

**LD 2633**

**An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the Maine Seed Potato Board Under the State Government Evaluation Act**

**P & S 93**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
				S-764 MICHAUD

LD 2633 proposed appropriating \$149,000 for capital improvements, equipment and repairs at the Porter Nuclear Seed Facility.

**Senate Amendment "A" (S-764)** proposed reducing the appropriation and clarifying that the funding is on a one-time basis.

***Enacted law summary***

Private and Special Law 1999, chapter 93 appropriates \$100,000 to the Porter Nuclear Seed Facility for equipment, capital improvements and repairs.

**LD 2634**

**An Act to Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to Review of the State Board of Pesticides Control Under the State Government Evaluation Act**

**PUBLIC 724**

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

LD 2634 proposed suspending for 2 years the statutory requirement that the State Board of Pesticides Control submit an annual report containing the quantity of pesticide products sold the previous year sorted by name and registration number of the pesticides. It directs the board to report on its progress in developing a preferred method of data collection and reporting to track pesticide use. It authorizes the joint standing committee of the Legislature having jurisdiction over agricultural matters to report out legislation regarding data collection and reporting of pesticide use to the Second Regular Session of the 120th Legislature.

***Enacted law summary***

Public Law 1999, chapter 724 suspends for 2 years the statutory requirement that the State Board of Pesticides Control submit an annual report containing the quantity of pesticide products sold the previous year sorted by name and registration number of the pesticides. It directs the board to report on its progress in developing a preferred method of data collection and reporting to track pesticide use. It authorizes the joint standing committee of the Legislature having jurisdiction over agricultural matters to report out legislation regarding data collection and reporting of pesticide use to the Second Regular Session of the 120th Legislature.

**LD 2638**

**Resolve, Authorizing a Land Transaction by the Bureau of Parks and Lands**

**RESOLVE 112**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS FOSTER	OTP-AM	S-627

LD 2638 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey, by quitclaim deed and subject to certain conditions, approximately 600 acres of nonreserved public lands in the towns of New Gloucester, North Yarmouth and Gray to October Corporation for not less than fair market value.

***Enacted law summary***

Resolve 1999, chapter 112 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey, by quitclaim deed and subject to certain conditions, approximately 600 acres of nonreserved public lands in the towns of New Gloucester, North Yarmouth and Gray to October Corporation for not less than fair market value. These nonreserved public lands, which consist of approximately 300 acres currently leased for agricultural use and approximately 300 acres of interspersed woodlands, are generally contiguous to or in the vicinity of the Pineland Facility campus.

The conveyance is contingent upon exercise of an "Option Agreement," dated January 10, 2000, between the State and October Corporation for the purchase of certain state-owned parcels of real estate and certain buildings associated with the State's Pineland Facility situated primarily in the Town of New Gloucester.

Proceeds from the sale of the nonreserved public lands of the Bureau of Parks and Lands must be used to purchase land to be managed for similar purposes in Cumberland County.

Sponsor(s)Committee ReportAmendments Adopted

## LD 2662

Part A of this bill proposed amending statutory definitions to use terms consistent with definitions in the major substantive rules proposes for authorization in LD 2595. It proposed increasing the fines for violations of the Maine milk laws. It proposed clarifying activities relating to the sale and distribution of milk and milk products that require a license or permit from the Commissioner of Agriculture, Food and Rural Resources.

Part B of this bill proposed makes statutory changes to provide for payment to milk producers using component pricing.

***Enacted law summary***

Public Law 1999, chapter 679 amends statutory definitions to use terms consistent with definitions in the proposed major substantive rules. It increases the fines for violations of the Maine Milk laws. It clarifies activities relating to the sale and distribution of milk and milk products that require a license or permit from the Commissioner of Agriculture, Food and Rural Resources. Part B of chapter 679 makes statutory changes to provide for payment to milk producers using component pricing. Chapter 679 has an effective date of April 12, 2000.

Sponsor(s)Committee Report  
OTP-AM MAJAmendments Adopted

LD 2665 proposed the majority report. It proposed directing the Commissioner of Conservation to provisionally adopt rules to establish statewide standards for timber harvesting activities in areas adjacent to rivers, streams, ponds, wetlands and tidal waters. This bill also proposed eliminating any waiting period for road construction activities associated with forest management activities. See LD 2666 for a summary of minority report. The 2 reports were identical except that the minority report did not propose eliminating the waiting period currently provided for in rule.

***Enacted law summary***

Public Law 1999, chapter 695 directs the Commissioner of Conservation to provisionally adopt rules to establish statewide standards for timber harvesting activities in areas adjacent to rivers, streams, ponds, wetlands and tidal waters. It requires the rules to retain standards established by the Department of Environmental Protection under the laws relating to mandatory shoreland zoning and natural resources protection when those standards are consistent with standards established by the Maine Land Use Regulation Commission. It authorizes the joint standing committee of the Legislature having jurisdiction

over forestry matters to report out a bill to the Second Regular Session of the 120th Legislature to amend statutes administered and enforced by the Department of Environmental Protection and the Maine Land Use Regulation Commission pertaining to timber harvesting activities. Chapter 695 also eliminates any waiting period for road construction activities associated with forest management activities. A permit by rule becomes effective when the Department of Environmental Protection receives notification of the activity as long as the notification is complete and the activity is eligible for a permit by rule.

**LD 2666**                      **An Act to Provide for Statewide Standards for Timber Harvesting in Shoreland Areas**                      **NO ACTION TAKEN**

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

LD 2666, which is the minority report, proposed directing the Commissioner of Conservation to adopt rules to establish statewide standards for timber harvesting activities in areas adjacent to rivers, streams, ponds, wetlands and tidal waters. See the bill summary for LD 2665. Because LD 2665 was enacted, the Legislature took no action on this bill.

**LD 2687**                      **An Act to Implement a Maine Meat and Poultry Inspection Program**                      **PUBLIC 777**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
				H-1119 PIEH S-793 MICHAUD

LD 2687 proposed the establishment of a state meat inspection program.

**House Amendment "A" (H-1119)** proposed deleting unnecessary language relating to subpoenas issued by the Commissioner of Agriculture, Food and Rural Resources.

**Senate Amendment "A" (S-793)** proposed deappropriating unnecessary funds from the Harness Racing Commission within the Department of Agriculture, Food and Rural Resources and appropriating one-time funding to establish a poultry and meat inspection program.

***Enacted law summary***

Public Law 1999, chapter 777 directs the Commissioner of Agriculture, Food and Rural Resources to implement a meat and poultry inspection program. It requires the standards of the state program to be at least as stringent as and consistent with the federal meat inspection program. It requires the identification of inspected products. It establishes licensing provisions for categories of people engaged in intrastate commerce with regard to the processing and selling of meat and meat products.

**HP 1951**

**JOINT ORDER – Relative to the Committee to Study Access to Private and Public Lands in Maine**

**PASSED**

Sponsor(s)

Committee Report

Amendments Adopted

Joint Order HP 1951 creates the legislative Committee to Study Access to Private and Public Lands in Maine. The committee consists of 5 legislators. The committee is directed to gather information and study issues relating to access to lands beyond checkpoints operated by landowners and landowner associations. The committee is required to submit its report by November 1, 2000. The joint standing committee having jurisdiction over matters pertaining to parks and lands is authorized to report out a bill during the 1st Session of the 120th Legislature concerning the findings and recommendations in the report.

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