

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 16**                      **An Act to Eliminate Fees for the Use of State Parks by Residents of the Municipalities in Which Those Parks Are Located**                      **ONTP**

<u>Sponsor(s)</u> PINKHAM DAVIS P		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 16 proposed eliminating the fee for the use of a state-owned park by a resident of the town where the state-owned park is located.

**LD 38**                      **An Act to Increase the Fine for Allowing a Dog to Roam at Large**                      **PUBLIC 13**

<u>Sponsor(s)</u> DAVIS P SCHNEIDER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-3
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LD 38 proposed increasing the limit of a fine for allowing a dog to roam at large from \$250 to \$500.

**Committee Amendment "A" (S-3)** proposed replacing the bill to increase fines for 2 or more violations of provisions in the chapter regarding uncontrolled dogs.

## *Enacted law summary*

Public Law 2001, chapter 13 increases fines for 2 or more violations of the laws regarding uncontrolled dogs. The fine for a first violation of allowing a dog to roam at large is not less than \$50 nor more than \$250. Chapter 13 provides a fine of not less than \$100 nor more than \$500 for a second or subsequent violation.

**LD 139**                      **An Act to Amend the Animal Trespass Laws**                      **PUBLIC 15**

<u>Sponsor(s)</u> MCGLOCKLIN		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 139 proposed exempting cats from the provisions of the animal trespass laws.

## *Enacted law summary*

Public Law 2001, chapter 15 exempts cats from the provisions of the animal trespass laws.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 265

**An Act to Protect Animals and Ensure the Public Has Notice  
Regarding Veterinary Fees and Care**

**PUBLIC 62**

Sponsor(s)  
GLYNN

Committee Report  
OTP-AM

Amendments Adopted  
H-46

LD 265 proposed requiring boarding kennels to post and provide upon request a fee schedule for services and to indicate the hours during which a person is on the premises. It proposed requiring a veterinarian to provide a fee schedule and, if the veterinarian maintains a facility to practice veterinary medicine, to post a fee schedule and to indicate the hours during which a person is present at the facility.

**Committee Amendment "A" (H-46)** proposed replacing the bill. It proposed requiring a person who maintains a facility where veterinary medicine is practiced and animals are kept overnight to provide written notice of staffing policies to a person leaving an animal at the facility.

## *Enacted law summary*

Public Law 2001, chapter 62 requires a person who maintains a facility where veterinary medicine is practiced and animals are kept overnight to provide written notice of staffing policies to a person leaving an animal at the facility.

LD 276

**An Act to Amend the Laws Governing Building Permits in the  
Unorganized Territories**

**PUBLIC 105**

Sponsor(s)  
CLARK  
MICHAUD MH

Committee Report  
OTP-AM

Amendments Adopted  
H-185

LD 276 proposed exempting the placement of a quonset hut from requiring a permit in the unorganized territories.

**Committee Amendment "A" (H-185)** proposed replacing the original bill. It proposed allowing the Maine Land Use Regulation Commission to grant a variance from strict compliance with rules or standards when compliance would pose a hardship due to the needs of a person with a disability or any other unusual circumstance not anticipated when the rules and standards were adopted.

## *Enacted law summary*

Public Law 2001, chapter 105 allows the Maine Land Use Regulation Commission to grant a variance from strict compliance with rules or standards when compliance would pose a hardship due to the needs of a person with a disability or any other unusual circumstance not anticipated when the rules and standards were adopted.

LD 351

**An Act to Clarify the Training Requirements for Forest Rangers**

**ONTP**

## Joint Standing Committee on Agriculture, Conservation and Forestry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP A	
KILKELLY	OTP-AM B	
	OTP-AM C	

LD 351 proposed requiring a forest ranger to meet and maintain the training standards and requirements for full-time law enforcement officers as established in the Maine Revised Statutes, Title 25, chapter 341.

### LD 394                      **An Act to Facilitate State Park Campsite Reservations through the Internet**                      **PUBLIC 24**

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

LD 394 proposed allowing a portion of the reservation fee for state park campsite reservations to be paid directly to a provider of Internet reservation services.

#### *Enacted law summary*

Public Law 2001, chapter 24 allows a portion of the reservation fee for state park campsite reservations to be paid directly to a provider of Internet reservation services.

### LD 469                      **An Act to Provide Funding for an Educational Component at Historic Fort Knox in the Town of Prospect**                      **ONTP**

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

LD 469 proposed appropriating \$200,000 for the planning, design and construction of an educational component for the visitors' center at Fort Knox State Park.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 488

**An Act to Correct an Error in the Bureau of Parks and Lands Statute**

**PUBLIC 312**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND CARR	OTP-AM MAJ ONTP MIN	S-182

LD 488 proposed correcting an unintentional change made when the Title 12, Chapter 220 was enacted to reorganize the statutes pertaining to the Bureau of Parks and Lands. It requires relocation of any privately owned road within the Allagash Wilderness Waterway ordered discontinued by the Bureau of Public Lands within the Department of Conservation at the bureau's expense.

**Committee Amendment "A" (S-182)** proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. This amendment proposed language to clarify that the Bureau of Parks and Lands is not required to relocate a road when the bureau is directing that the road be discontinued and the landowner does not request relocation at the time.

## *Enacted law summary*

Public Law 2001, chapter 312 requires relocation of any privately owned road within the Allagash Wilderness Waterway ordered discontinued by the Bureau of Public Lands within the Department of Conservation at the bureau's expense. It clarifies that the Bureau of Parks and Lands is not required to relocate a road when the bureau is directing that the road be discontinued and the landowner does not request relocation.

LD 515

**An Act to Eliminate the Maine Land Use Regulation Commission**

**ONTP**

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

LD 515 proposed eliminating the Maine Land Use Regulation Commission effective October 1, 2002. The bill would have directed the commission, in cooperation with the Department of Environmental Protection, to propose implementing legislation to reassign the commission's duties to the department.



# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 628

An Act to Prohibit Certain Conduct Relating to Elephants

DIED BETWEEN  
BODIES

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

LD 628 proposed prohibiting a person from making available an elephant for use in a traveling exhibition or for the purpose of allowing an individual to ride that elephant. A person who violated this provision would have committed a Class E crime with a specified maximum period of imprisonment of 90 days.

**House Amendment "A" (H-214)** proposed provisions to safeguard the public from contact with elephants and to ensure that an elephant receives appropriate medical care.

LD 661

An Act to Make an Owner Responsible for Injuries Caused by a Dog

PUBLIC 220

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON MCGOWAN	OTP-AM	S-98

LD 661 proposed making the owner of a dog responsible for a person's injuries caused by the dog.

**Committee Amendment "A" (S-98)** proposed providing for a victim to recover full damages for physical injuries related to an attack by a dog when the court determines that the victim's fault is less than the fault of the dog's owner. It also proposed making it a civil violation for a person to own or keep a dog that attacks a service dog.

## *Enacted law summary*

Public Law 2001, chapter 220 provides for a victim to recover full damages for physical injuries related to an attack by a dog when the court determines that the victim's fault is less than the fault of the dog's owner.

Chapter 220 makes it a civil violation for a person to own or keep a dog that attacks a service dog and requires the court to order restitution to the owner of the service dog for veterinary bills and any necessary retraining or replacement costs of the dog.

## Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 665**                      **An Act to Increase Efficiency in Maine Land Use Regulation**                      **ONTP**  
**Commission Permitting**

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

LD 665 proposed requiring the Maine Land Use Regulation Commission to process, within 2 weeks, permit applications for temporary structures submitted by subcontractors on Department of Transportation projects.

**LD 672**                      **An Act to make Confidential Certain Information Collected from**                      **ONTP**  
**State Farmers**

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

LD 672 proposed to make all agricultural pesticide registration records of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control confidential and not public records.

**LD 739**                      **An Act to Require That Wolf Hybrids be Permanently Identified**                      **PUBLIC 129**  
**and to Establish Penalties for Releasing Wolf Hybrids from**  
**Captivity**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP KILKELLY	OTP-AM	H-150

LD 739 proposed prohibiting any person from owning or caring for a wolf hybrid unless it is tattooed in accordance with rules adopted by the Department of Agriculture, Food and Rural Resources. The bill also proposed a higher fine for allowing a wolf hybrid to run at large. It would have prohibiting municipalities from licensing any wolf hybrid that was not tattooed.

**Committee Amendment "A" (H-150)** proposed replacing the bill. It proposed making it a civil violation to abandon a wolf hybrid and requiring the permanent identification of wolf hybrids. It proposed imposing requirements on breeders to facilitate the identification of wolf hybrids.

### *Enacted law summary*

Public Law 2001, chapter 129 makes it a civil violation to abandon a wolf hybrid. It requires the permanent identification of wolf hybrids and directs the Department of Agriculture, Food and Rural Resources to adopt rules to implement this provision. It requires breeders of wolf hybrids to register with the department, to have all

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offspring of wolf hybrids permanently identified prior to transfer of ownership and to notify the department when ownership is transferred.

**LD 753**                      **An Act to Create a Farmland and Open Space for the Community Board**                      **ONTP**

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

LD 753, a concept draft pursuant to Joint Rule 208, proposed creating a board charged with the duty of identifying and purchasing areas of land for farmland and open space preservation. In addition, the new board would oversee the creation of a database of farmers seeking to sell their farms to aspiring farmers.

**LD 792**                      **An Act to Implement the Maine Agricultural Internship and Training Program**                      **PUBLIC 168**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY MCKEE	OTP-AM	S-79

LD 792 proposed requiring the Commissioner of Agriculture, Food and Rural Resources to designate a person within the Department of Agriculture, Food and Rural Resources to oversee the Maine Agricultural Internship and Training Program.

**Committee Amendment "A" (S-79)** proposed requiring the Commissioner of Agriculture, Food and Rural Resources to report biennially to the joint standing committee of the Legislature having jurisdiction over agricultural matters on activities relating to the Maine Agricultural Internship and Training Program.

### *Enacted law summary*

Public Law 2001, chapter 168 requires the Commissioner of Agriculture, Food and Rural Resources to designate a person within the Department of Agriculture, Food and Rural Resources to oversee the Maine Agricultural Internship and Training Program. It requires the Commissioner of Agriculture, Food and Rural Resources to report biennially to the joint standing committee of the Legislature having jurisdiction over agricultural matters on activities relating to the Maine Agricultural Internship and Training Program. It requires a first report by December 1, 2001 including an update on the implementation of a program to identify individuals interested in farm apprenticeships or in purchasing a farm and to establish a network of information to facilitate farm transfers.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 882**

**An Act to Enhance Participation in the Agricultural Marketing Loan Fund**

**PUBLIC 152  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND MICHAUD MH	OTP-AM	S-70

LD 882 proposed allowing persons constructing potato storage facilities to obtain loans from the Agricultural Marketing Loan Fund. It proposed an interest rate of 5% for loans from the fund for potato storage facilities.

**Committee Amendment "A" (S-70)** proposed replacing the bill. It proposed an annual interest rate of 5% for all loans under the Agricultural Marketing Loan Fund. This amendment also proposed requiring the Commissioner of Agriculture, Food and Rural Resources to submit an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters.

## *Enacted law summary*

Public Law 2001, chapter 152 provides for all loans under the Agricultural Marketing Loan Fund to have a 5% annual interest rate. It requires the Commissioner of Agriculture, Food and Rural Resources to submit an annual report by March 1<sup>st</sup> to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The report must include a summary of loans made during the previous calendar year and categorize outstanding loans by the type of agricultural enterprises receiving the loans.

Public Law 2001, chapter 152 was enacted as an emergency measure effective May 14, 2001.

**LD 902**

**An Act to Require the Labeling of Certain Genetically Engineered Foods**

**INDEFF PP**

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

LD 902 proposed to require labeling of all genetically engineered foods offered for sale or sold in the State.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 906

**An Act to Amend the Laws Pertaining to the Control of Disease in Poultry**

**PUBLIC 91**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J WESTON	OTP-AM	S-49

LD 906 proposed directing the Commissioner of Agriculture, Food and Rural Resources to establish a mandatory Salmonella enteritidis risk reduction and surveillance program for commercial egg-type poultry farms.

**Committee Amendment "A" (S-49)** proposed alternate language to require the Commissioner of Agriculture, Food and Rural Resources, in cooperation with the University of Maine Cooperative Extension Service, to develop a Salmonella enteritidis risk reduction and surveillance program for poultry and to adopt rules to implement the program. It proposed mandatory participation in the program for commercial egg producers upon final adoption of major substantive rules.

## *Enacted law summary*

Public Law 2001, chapter 91 requires the Commissioner of Agriculture, Food and Rural Resources to develop a Salmonella enteritidis risk reduction and surveillance program for poultry and to adopt major substantive rules to implement the program.

LD 912

**An Act to Amend the Harness Racing Laws to Provide for Staggered Terms**

**PUBLIC 63  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND CHIZMAR	OTP-AM	S-19

LD 912 proposed staggering the terms of the members of the State Harness Racing Commission and the Harness Racing Promotional Board. It proposed allowing the commission to elect one of its members to serve as chair rather than having the Governor appoint a member.

**Committee Amendment "A" (S-19)** proposed amending the bill to have the Governor continue to appoint the chair of the State Harness Racing Commission. It also proposes removing the stipulation that the chair must be without an industry affiliation.

## *Enacted law summary*

Public Law 2001, chapter 63 staggers the terms of the members of the State Harness Racing Commission and the Harness Racing Promotional Board. It removes the stipulation that the chair must be without an industry affiliation.

# Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2001, chapter 63 was enacted as an emergency measure effective April 12, 2001.

**LD 913**                      **An Act Regarding Variances to the Implementation Dates of the Nutrient Management Law**                      **PUBLIC 64 EMERGENCY**

<u>Sponsor(s)</u> KNEELAND GOOLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-20
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LD 913 proposed amending the nutrient management law regarding the issuance of variances to allow the Commissioner of Agriculture, Food and Rural Resources to issue a variance from the deadline for completion and certification of a plan. The bill also proposed eliminating the requirement for a 90-day time period between the time of the request for a variance and the applicable implementation date.

**Committee Amendment "A" (S-20)** proposed replacing the bill with alternate language to allow the Commissioner of Agriculture, Food and Rural Resources to grant variances to delay the date by which a nutrient management plan must be prepared and certified. It also proposed providing a reclassification within the Office of Agricultural, Natural and Rural Resources.

## *Enacted law summary*

Public Law 2001, chapter 64 allows the Commissioner of Agriculture, Food and Rural Resources to grant a variances from the January 1, 2001 deadline for preparation and certification of a nutrient management plan when technical assistance or resources were not available. It also provides a reclassification within the Office of Agricultural, Natural and Rural Resources.

Public Law 2001, chapter 64 was enacted as an emergency measure with a retroactive effective date of January 1, 2001.

**LD 925**                      **An Act to Allow Cultivation of Those Varieties of Ribes That are Certified Resistant or Immune to White Pine Blister Rust**                      **ONTP**

<u>Sponsor(s)</u> BROOKS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 925 proposed allowing the possession, shipment and cultivation of plants of the genus Ribes, including gooseberries, currants, European black currants and other members of the Ribes plant genus if the products were specifically labeled by the shipper as certified resistant or immune to white pine blister rust.



# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 996

**An Act to Amend the Laws Governing the Maine Potato Board**

**PUBLIC 164**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND BELANGER	OTP-AM	S-78

LD 996 proposed amending the laws governing the Maine Potato Board. It proposed reducing the number of districts from 7 to 5 and requiring the board to appoint 2 members to the executive councils.

**Committee Amendment "A" (S-78)** proposed additional changes to the geographic areas of the districts. It proposed providing for the executive council members to continue to serve until elections are held for the newly created districts.

## *Enacted law summary*

Public Law 2001, chapter 164 amends the laws governing the Maine Potato Board. It reduces the number of geographic districts and assemblies from 7 to 5 and designates the towns and townships comprising each district. The geographic districts and assemblies provide an organizational structure for participation of potato growers, dealers and processors in the functions of the potato board. Chapter 164 requires the board to appoint 2 members to the executive councils.

LD 1013

**An Act to Require Committee Approval for Certain Purchases  
Proposed by the Land for Maine's Future Board**

**ONTP**

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

LD 1013 proposed requiring approval by the joint standing committee of the Legislature having jurisdiction over conservation matters for an acquisition by the Land for Maine's Future Board of land with an appraised value greater than \$250,000.

LD 1014

**An Act to Require Legislative Approval of Certain Land Purchases  
by the Land for Maine's Future Board**

**ONTP**

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

LD 1014 proposed requiring approval by the Legislature for an acquisition by the Land for Maine's Future Board of a parcel of land larger than 20,000 acres.

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**LD 1037**                      **Resolve, to Establish the Maine Agri-tourism Program**                      **ONTP**

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

LD 1037 proposed requiring the Commissioner of Agriculture, Food and Rural Resources, the Commissioner of Conservation and the Chief Executive Officer of the Finance Authority of Maine to develop a Maine Agri-tourism Program. The resolve also proposed requiring a report on the proposed program to the Second Regular Session of the 120th Legislature.

**LD 1103**                      **An Act to Provide Additional Resources to the Oxford County Fair Society**                      **P & S 42**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR BENNETT	OTP-AM    MAJ ONTP      MIN	H-56

LD 1103 proposed providing additional resources to the Oxford County Fair Society to help offset the costs of developing the society's infrastructure.

**Committee Amendment "A" (H-56)** proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It proposed a one-time General Fund appropriation of \$25,000 to provide additional resources to the Oxford County Fair Society.

### *Enacted law summary*

Private and Special Law 2001, chapter 42 appropriates \$25,000 as one time funding to the Oxford County Fair Society to offset costs required to develop the fairground infrastructure.

**LD 1141**                      **An Act to Clarify the Sale of Farm-produced Foods**                      **ONTP**

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

LD 1141 proposed a statutory change to exempt farm or garden establishments that were engaged in direct sales to consumers of minimally processed foods from the licensing requirements for food establishments.

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**LD 1154**                      **An Act to Implement the Recommendations of the Maine Millennium Commission on Hunger and Food Security and to Increase the Viability of Maine's Farms and Improve Nutrition**                      **ONTP**

<u>Sponsor(s)</u> SNOWE-MELLO LEMONT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1154 proposed directing the Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Human Services to develop a program to issue coupons redeemable for fresh locally grown foods to low-income consumers. It proposed requiring the commissioners to report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Health and Human Services with recommendations for the program no later than January 15, 2002.

It proposed the establishment of a nutrition education fund for the development and distribution of educational materials to teach consumers about the nutritional value of and how to prepare locally produced foods and funding for demonstration projects to increase direct purchasing of fresh farm products by low-income consumers.

**LD 1164**                      **Resolve, Directing Responsible State Agencies to Secure Public Access to Class 2 Waters**                      **RESOLVE 51**

<u>Sponsor(s)</u> MARTIN DUNLAP	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-248
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LD 1164 proposed amending the Maine Land Use Regulation Commission laws to allow a boat launch to be constructed within the commission's jurisdiction without a permit if the launch was approved by another state agency and the commission determined that a boat launch was an allowed use within the subdistrict.

**Committee Amendment "A" (S-71)** proposed the majority report. This amendment proposed language to clarify that the Department of Inland Fisheries and Wildlife and the Bureau of Parks and Lands within the Department of Conservation would not be required to obtain a permit for a public boat launch on a Management Class 2, 3, 4, 5 or 7 lake within LURC jurisdiction. Notification requirements and project standards established in rule would need to be met. LD 1164 was recommitted to committee prior to acceptance of the majority report.

**Committee Amendment "B" (S-248)** proposed replacing the original bill with a resolve directing the Department of Conservation to coordinate efforts of responsible state agencies to secure public access to Class 2 lakes in the State, as opportunities arise. Committee Amendment "B" was the unanimous report of the committee.

### *Enacted law summary*

Resolve 2001, chapter 51 directs the Department of Conservation to coordinate efforts of responsible state agencies to secure public access to Class 2 lakes in the State, as opportunities arise.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1170

An Act to Amend the Animal Welfare Laws

PUBLIC 422  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J GOOLEY	OTP-AM	S-286

LD 1170 proposed several changes in definitions in the animal welfare laws and amendments to dog and kennel licensing provisions. It proposed granting subpoena authority to the Department of Agriculture, Food and Rural Resources to strengthen the enforcement capabilities of the department.

**Committee Amendment "A" (S-286)** proposed replacing the bill. It proposed increasing the registration fee for commercial feeds and pet food. It proposed allowing the Commissioner of Agriculture, Food and Rural Resources to authorize veterinarians to serve as dog licensing agents and to adopt rules to implement this option for issuing licenses and collecting license fees.

It proposed granting subpoena authority to the Department of Agriculture, Food and Rural Resources to strengthen the enforcement capabilities of the department. It proposed a provision allowing law enforcement officers, the commissioner or the commissioner's designee, humane agents, animal control officers and the state veterinarian to exchange information relating to cases of alleged animal cruelty. It also proposed providing immunity from civil and criminal liability for a veterinarian reporting a case of alleged animal cruelty.

LD 1174

An Act to Legalize Hemp for Agricultural Purposes

DIED BETWEEN  
BODIES

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

LD 1174 proposed permitting a person to possess hemp used for agricultural purposes beginning July 1, 2002. It proposed requiring the Department of Agriculture, Food and Rural Resources and the Department of Public Safety to examine the issue of legalizing the use of hemp for agricultural purposes and to report with implementing legislation that legalizes the use of hemp for agricultural purposes to the Second Regular Session of the 120th Legislature no later than January 1, 2002.

**Committee Amendment "A" (H-310)** proposed replacing the original bill. It was the minority report. It proposed enacting a definition of "industrial hemp" and authorizing the Director of the Maine Agricultural Experiment Station to obtain the appropriate federal permits to study the feasibility of growing industrial hemp. It proposed directing the Commissioner of Agriculture, Food and Rural Resources to write to federal agencies expressing support for research and appropriate regulation to allow the cultivation of industrial hemp if research indicated significant potential as an agricultural crop.

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LD 1191

**An Act to Amend the Maine Arborist Licensing Law and Clarify the Expiration Date for Nursery Licenses**

**PUBLIC 299**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY T KILKELLY	OTP-AM	H-458

LD 1191 proposed several revisions to the laws regarding licensing of arborists. It proposed changing the penalty for violating the arborist licensing laws from a criminal to a civil violation. It proposed revisions in the examination process for licensing arborists and the establishment of the Maine Arborist Advisory Council to advise the Department of Agriculture, Food and Rural Resources on the operation and enforcement of the arborist licensing laws.

**Committee Amendment "A" (H-458)** proposed the majority report of the committee. It proposed clarifying that a nursery license expires on December 31<sup>st</sup> and that a person who consults in the business of an arborist is required to have a license. It proposed requiring that one member of the Maine Arborist Advisory Council serve on the governing council of a professional organization for licensed arborists.

## *Enacted law summary*

Public Law 2001, chapter 299 changes the penalty for violating the arborist licensing laws from a criminal to a civil violation and establishes a fine of up to \$500 per day for each day the statute is violated. It allows actions to be brought against individuals who violate this statute in either District Court or Superior Court. It eliminates the exemption to the licensing requirement for tree removal in municipalities having populations under 2,500 people. It allows the State to examine applicants for restricted licenses in a broader category of subject areas. It establishes the Maine Arborist Advisory Council to advise the Department of Agriculture, Food and Rural Resources on the operation and enforcement of the arborist licensing laws.

LD 1198

**An Act to Refine the Subdivision and Redistricting Authority of the Maine Land Use Regulation Commission**

**PUBLIC 431**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY MCKEE	ONTP MAJ OTP-AM MIN	H-704 MCKEE S-253

LD 1198 proposed amending several provisions of the Maine Land Use Regulation Commission law that relate to lot creation, subdivision and zoning and the commission's redistricting, authority. It proposed eliminating the provision that exempts lots 40-acres and larger in size from review as a subdivision. It proposed exempting from subdivision review lots conveyed to certain governmental entities and conservation organizations as well as lots in excess of 1,000 acres that are devoted to forest or agricultural management. It proposed limiting the types of individuals qualified to receive a gift lot, placing a requirement that a lot must be held for 5 years immediately prior to the creation of any gift lot, and requiring that a recipient of a gift lot hold that lot for at least 5 years for it to

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remain exempt. It proposed eliminating a reporting requirement and a filing requirement imposed on landowners creating exempt lots. It proposed criteria by which the commission could use conditional zoning.

**Committee Amendment "A" (S-253)** was the minority report of the committee. It proposed revised language to clarify lots that qualify for an exemption from subdivision review. It proposed retaining the requirement for filing of a land division plan and requiring that the plan state that the lots may be used only for forest management, agricultural management or conservation of natural resources. It proposed eliminating the provisions that would allow conditional zoning.

**House Amendment "B" to Committee Amendment "A" (H-704)** proposed allowing hunting, fishing or other forms of primitive recreation, use of motorized vehicles on roads and trails and snowmobiling as otherwise allowed by law without a permit on lots created using the exemptions from the definition of subdivision.

### *Enacted law summary*

Public Law and Special Law 2001, chapter 431 makes revisions to the Maine Land Use Regulation Commission laws pertaining to subdivisions. It specifies the eligible recipients of a gift lot, places a requirement that a lot must be held for 5 years immediately prior to the creation of any gift lot, and requires that a recipient of a gift lot hold that lot for at least 5 years for it to remain exempt from subdivision review. It restricts the 40-acre exemption from subdivision review to lots used for forestry, agriculture or conservation and with no portion of the lot within defined shore land zones. It provides a new exemption for lots transferred to government entities or nonprofit conservation organizations for conservation of natural resources or for public recreation or other public purposes. It retains the requirement for filing of a land division plan and where applicable requires the plan to state that the exempt lots may be used only for forest management, agricultural management or conservation of natural resources.

It exempts from the subdivision permit requirement lots in unauthorized subdivisions if the lots have been in existence for at least 20 years and the Commission has failed to file notice at the Registry of Deeds that the lots constitute an illegal subdivision. This Act does not require a person to obtain a permit for a land division that occurred prior to the effective date of this Act if the division did not require a permit prior to this Act.

**LD 1203**

**An Act to Amend Certain Laws Pertaining to the Maine Land Use Regulation Commission**

**PUBLIC 402**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND CLARK	OTP-AM	S-181 S-301 MARTIN

LD 1203 proposed amending the definition of campsite under the Maine Land Use Regulation Commission laws. It proposed exempting road salt or sand-salt areas used solely for forestry purposes and under the jurisdiction of the Maine Land Use Regulation Commission from the waste disposal permitting requirements of the Maine Department of Environmental Protection. It proposed requiring the Maine Land Use Regulation Commission to develop guidelines for the use of winter haul roads and report to the Second Regular Session of the 120th Legislature on the guidelines.

**Committee Amendment "A" (S-181)** proposed replacing the original bill. It proposed an alternative definition of campsite to remove restrictions in the definition on the number of people at a campsite, the length of occupancy and the size of trailers. It proposed clarifying that a permit is not required for a campsite in a management district.

## Joint Standing Committee on Agriculture, Conservation and Forestry

It proposed including the construction of buildings to store equipment and materials used for maintaining roads used for agricultural and commercial forest products purposes in the list of activities allowed without restriction in a management district and clarifying that a permit is not required for these activities.

**Senate Amendment "A" to Committee Amendment "A" (S-301)** proposed allowing the Maine Land Use Regulation Commission to require a campsite permit if the commission determines that the landowner's recreational policy is inconsistent with the commission's land use plan.

### *Enacted law summary*

Public Law 2001, chapter 402 amends the definition of campsite under the Maine Land use Regulation Commission laws. It allows campsite numbers, occupancy rates and occupancy periods that are consistent with a landowner's recreational policy. The Maine Land Use Regulation Commission may require a campsite permit if the commission determines that the landowner's recreational policy is inconsistent with the commission's land use plan. Chapter 402 specifically includes the construction of buildings to store equipment and materials used for maintaining roads used for agricultural and commercial forest products purposes in the list of activities allowed without restriction in a management district and clarifies that the Maine Land Use Regulation Commission may not require a permit for these activities.

**LD 1266**

### **An Act to Protect Against Contamination of Crops and Wild Plant Populations by Genetically Engineered Plants**

**PUBLIC 330**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	OTP-AM	H-449

LD 1266 proposed requiring a manufacturer of genetically engineered plants, planting stock or seeds to provide growers with instructions on how to plant, cultivate and harvest the genetically engineered material to avoid contamination of plants of nongenetically engineered origin. It also proposed requiring the manufacturer to enter into written contracts with growers and file the contracts with the Department of Agriculture, Food and Rural Resources. It proposed enacting provisions for manufacturer liability when contamination of nongenetically engineered plants by genetically engineered plants occurred.

**Committee Amendment "A" (H-449)** proposed replacing the bill. It proposed a definition for "seed dealer". It proposed requiring a manufacturer of genetically engineered plants, planting stock or seeds to provide growers with instructions on how to plant, cultivate and harvest the product to avoid contaminating plants of nongenetically engineered origin but did not propose requiring a written contract between a manufacturer and grower. It proposed requiring the manufacturer or seed dealer to keep records including the names and addresses of persons growing its genetically engineered products in Maine for at least 2 years after the date of sale.

### *Enacted law summary*

Public Law 2001, chapter 330 requires a manufacturer of genetically engineered plants, planting stock or seeds to provide growers with instructions on how to plant, cultivate and harvest the product to avoid contaminating plants of nongenetically engineered origin. It requires the manufacturer or seed dealer to keep



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## Department of Agriculture, Food and Rural Resources

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

LD 1379 proposed to define "agriculture" in the laws establishing the Department of Agriculture, Food and Rural Resources to mean all types of farming including the production of horticultural commodities.

**LD 1424                    An Act to Require State Parks to Honor the Golden Access                    ONTP**  
**Passport**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO YOUNGBLOOD	ONTP	

LD 1424 proposed giving free entrance to any state-owned park, camping area or beach to a Maine resident holding a valid Golden Access Passport. The "Golden Access Passport," available to United States citizens or permanent residents who are blind or permanently disabled, provides free entrance to most federal recreation areas.

**LD 1425                    An Act to Establish a Fund for Marketing and Improvements in                    CARRIED OVER**  
**Agricultural Fairs**

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

LD 1425 proposes to make improvement grants available to help agricultural fairs develop comprehensive long-term marketing plans. The grants would be limited to improvements and upgrades to internal roadway, drainage, waste and potable water systems and power distribution systems necessary to expand an agricultural fair. Marketing efforts and major capital improvements would be eligible for funding.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1426

**An Act to Allow the Purchase of Rabies Vaccine by Livestock  
Farmers**

**PUBLIC 308**

Sponsor(s)  
HALL

Committee Report  
OTP-AM

Amendments Adopted  
H-450

LD 1426 proposed allowing a person who owns livestock to purchase rabies vaccine directly from a pharmaceutical manufacturer or distributor.

**Committee Amendment "A" (H-450)** proposed allowing a person who owns cattle, sheep, goats or deer to purchase rabies vaccine directly from a licensed veterinarian. This amendment proposed including livestock owners among those authorized to possess hypodermic apparatuses.

## *Enacted law summary*

Public Law 2001, chapter 308 allows a person who owns cattle, sheep, goats or deer to purchase rabies vaccine directly from a licensed veterinarian. A veterinarian who sells rabies vaccine to a livestock owner is not liable for claims arising from the administration of the vaccine. An animal vaccinated against rabies by a person who is not a licensed veterinarian or under the supervision of a licensed veterinarian may not be certified as vaccinated against rabies. It also includes livestock owners among those authorized to possess hypodermic apparatuses.

LD 1435

**An Act to Authorize Animal Shelters to Accept and Provide for  
Stray Cats**

**PUBLIC 363**

Sponsor(s)  
BOUCHER

Committee Report  
OTP-AM

Amendments Adopted  
H-603

LD 1435 proposed establishing a system to license cats modeled after the State's dog licensing laws. It proposed an annual fee of \$2.50 for cats capable of producing young and a \$1 annual fee for cats incapable of producing young.

**Committee Amendment "A" (H-603)** proposed replacing the bill. It proposed establishing in statute a procedure for an animal shelter to follow when the animal shelter accepts a stray cat.

## *Enacted law summary*

Public Law 2001, chapter 363 establishes procedures for an animal shelter to follow when the animal shelter accepts a stray cat.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1458**                      **An Act Regarding Forest Sustainability**                      **ONTP**

<u>Sponsor(s)</u> HAWES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1458 proposed preventing a landowner of 1,000 acres or more of forest land from cutting more of a species in a year than that species had regenerated in a year and allowing a landowner to bank any uncut species allowed to be cut in that year to be cut in future years. It proposed requiring the Department of Conservation to adopt major substantive rules to determine established growth and to implement a banking system.

**LD 1459**                      **An Act to Regulate Clear-cutting**                      **ONTP**

<u>Sponsor(s)</u> HAWES		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1459 proposed requiring a permit for a clear-cut of more than 5 acres, with the applicant showing that the clear-cut would not cause environmental damage, that there was no reasonable alternative and that the clear-cut could be silviculturally justified.

**LD 1501**                      **An Act to Amend the Laws Governing Commercial Large Game Shooting Areas**                      **ONTP**

<u>Sponsor(s)</u> MITCHELL B TREADWELL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1501 proposed allowing a person who had made an investment in a commercial large game shooting area during the period beginning October 1, 1999 and ending March 15, 2000 with the intent to operate such an area to obtain a license for a commercial large game shooting area.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1505**

**An Act to Streamline the Administration of the Potato Marketing Improvement Fund**

**PUBLIC 125  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND LUNDEEN	OTP-AM	H-152 MAYO S-50

LD 1505 proposed establishing the Potato Marketing Improvement Fund Operating Account and specifying that the Commissioner of Agriculture, Food and Rural Resources administers the Potato Marketing Improvement Fund.

**Committee Amendment "A" (S-50)** proposed adding an emergency preamble and emergency clause to the bill and an effective date of July 1, 2001.

**House Amendment "A" (H-152)** proposed technical corrections to the section providing funds to the Department of Agriculture, Food and Rural Resources to clarify that the funds are allocated from Other Special Revenue funds.

## *Enacted law summary*

Public Law 2001, chapter 125 streamlines the administration of the Potato Marketing Improvement Fund. It establishes the Potato Marketing Improvement Fund Operating Account and specifies that the Commissioner of Agriculture, Food and Rural Resources administer the Potato Marketing Improvement Fund.

Public Law 2001, chapter 125 was enacted as an emergency measure effective May 9, 2001.

**LD 1516**

**An Act to Support Family Farms**

**CARRIED OVER**

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

LD 1516 proposes appropriating funds to establish an additional Senior Planner position within the Department of Agriculture, Food and Rural Resources. This position would provide financial and estate planning for farmers, outreach and assistance concerning land management and planning and research relating to farmland values.

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**LD 1534**                      **An Act to Prohibit Grocery Stores From Charging Maine Farmers Access Fees, Slotting Fees and Rebates**                      **CARRIED OVER**

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

LD 1534 proposes excluding certain businesses from participation in the “BETR” program. A business that grosses over \$200,000 per month in which at least 75% of the sales are grocery staples would not be eligible for reimbursement for property taxes paid unless the business purchased produce from at least 75 Maine farms. The business owner would also be ineligible if a fee was charged to carry a Maine farm's product.

**LD 1540**                      **An Act to Ensure that the State Board of Pesticides Control has Sufficient Resources to Provide Accurate Information About the Use of Pesticides in the State**                      **PUBLIC 355**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J PINEAU	OTP-AM	S-234

LD 1540 proposed amending the annual reporting requirements of the State Board of Pesticides Control to require that report to be submitted each January 15th to the joint standing committee of the Legislature having jurisdiction over board matters and revise the contents of the report. The bill also proposed creating a Planning and Research Associate I position within the State Board of Pesticides Control to implement the record-keeping system and produce the annual report. That position would be funded from the board's dedicated revenue account.

**Committee Amendment "A" (S-234)** proposed replacing the original bill and requiring a report be submitted to the Legislature by April 1, 2002 with information on pesticides sales and use.

### *Enacted law summary*

Public Law 2001, chapter 355 requires a report be submitted to the Legislature by April 1, 2002 with information on pesticides sales and use. It directs the State Board of Pesticides Control to develop a measure to estimate homeowner use of pesticides. It makes a one-time allocation from Other Special Revenue funds for the State Board of Pesticides Control for costs associated with collecting, analyzing and reporting on pesticides sales and use in Maine.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1547**                      **An Act to Amend the Animal Welfare Laws**                      **ONTP**

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

LD 1547 proposed revisions to the Animal Welfare statutes including several revisions regarding training and duties of humane agents, animal control officers and animal law enforcement officers. It proposed increasing the fees for dog licenses and kennel licenses. It proposed revisions to the statutes regarding euthanasia and cruelty to animals. For enacted laws regarding animal welfare see the bill summaries for LD 1170, LD 1435, LD 1679 and LD 1695.

**LD 1587**                      **An Act to Amend the Commercial Large Game Shooting Area to Change the Date of Operation**                      **ONTP**

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

LD 1587 proposed allowing a person to obtain a commercial large game shooting area license if that person operated a commercial large game shooting area sometime between October 1, 1999 and March 15, 2001. Under current law a person must have operated a commercial large game shooting area sometime between October 1, 1999 and March 15, 2000 to obtain a license.

**LD 1589**                      **An Act to Define "Operated" in Relation to Commercial Large Game Shooting Areas**                      **ONTP**

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

LD 1589 proposed a definition of "operated" within the provisions for the licensing of large game shooting areas to mean the buying or selling of hunts.

**LD 1622**                      **An Act to Regulate Camp Lot Leases**                      **ONTP**

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

LD 1622 proposed to define "camp lot" and require that camp lot leases clearly identify the boundaries of the camp lot. It proposed limiting the amount of rent for a camp lot lease to no greater than 3 times the amount of

## Joint Standing Committee on Agriculture, Conservation and Forestry

property tax paid on that parcel. It also proposed provisions to require a landowner to pay fair market value to a lessee when a new landowner terminates a lease. See summary for LD 1823 and Joint Order H.P. 1391.

**LD 1660**                      **An Act to Encourage Independent 3rd-Party Certification of Resource Managers**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GREEN MARTIN	OTP-AM    MAJ ONTP      MIN	H-515

LD 1660 proposed creating a tax credit for small woodlot owners who have their woodlots certified as sustainably managed. It also proposed a tax credit for professional foresters who become approved by a forest certification system to certify small woodlots as sustainably managed and proposed establishing a grant program for professional foresters to help defray the cost of becoming approved.

**Committee Amendment "A" (H-515)** amendment was the majority report of the committee. It proposed removing the provisions for tax credits in the original bill. It would have retained a grant program for licensed professional foresters to assist with costs of obtaining 3rd-party certification as forest resource managers. It proposed appropriating \$5,000 to establish the certified forest resource manager grant fund and allowing the grant fund to accept donations from public and private sources. LD 1160 as amended by H-515 was enacted in the House and placed on the Appropriations Table in the Senate. It died on adjournment.

**LD 1676**                      **An Act to Establish the Maine Forest Certification Council**                      **ONTP**

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

LD 1676 proposed establishing the Maine Forest Certification Council, consisting of members appointed by the Governor, the President of the Senate and the Speaker of the House of Representatives, to review and report upon the use of 3rd-party certification in helping achieve the goals, criteria and standards of sustainable forest management. As proposed, the council would report its findings annually to the Governor and to the Legislature.

**LD 1679**                      **An Act to Increase the Penalties for Animal Cruelty**                      **PUBLIC 425**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL DAGGETT	OTP-AM	H-423

LD 1679 proposed increasing the penalties for certain violations of the animal cruelty laws. It proposed making a second or subsequent conviction of cruelty to animals a Class C crime. It proposed a Class C crime

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for a first offense of aggravated cruelty to animals and defined aggravated cruelty as causing extreme physical pain to or maliciously killing or intentionally torturing an animal. LD 1761 proposed including, under the definition of animal cruelty, the act of killing or torturing an animal to frighten or intimidate a child or forcing a child to injure or kill a domestic animal. It proposed requiring a juvenile convicted of animal cruelty to receive psychiatric or psychological counseling. It proposed eliminating the provision allowing an owner to lawfully kill that person's dog or cat. The bill also proposed amending specifications for shelter that must be available for a dog to protect it from inclement weather.

**Committee Amendment "A" (H-423)** proposed eliminating some provisions in the original bill and clarifying others. It proposed higher fines for civil and criminal violations of the animal cruelty laws and additional conditions under which a person convicted of criminal cruelty to animals could be sentenced for a Class C crime.

### *Enacted law summary*

Public Law 2001, chapter 425 increases the penalties for civil and criminal violations of the animal cruelty laws. It creates a new category of aggravated cruelty to animals and makes it a Class C crime. It includes killing or torturing an animal to frighten or intimidate a person or forcing a person to injure or kill an animal in the list of behaviors that constitute cruelty to animals. It enacts additional conditions under which a person convicted of criminal cruelty to animals may be sentenced for a Class C crime.

**LD 1690**

**An Act to Promote Outcome-based Forest Policy**

**PUBLIC 339**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM MAJ OTP-AM MIN	S-222

LD 1690 proposed directing the Director of the Bureau of Forestry in cooperation with private landowners to create experimental areas on private land where the principles and applicability of outcome-based forest policy could be applied and tested. The bill proposed a definition of outcome-based forest policy.

**Committee Amendment "A" (S-222)** proposed the majority report, specifying that the designated experimental areas may be on public as well as private land. It also proposed clarifying that provisions relating to the experimental areas sunset on July 1, 2006 and requiring a report by the Department of Conservation, Bureau of Forestry to the Legislature with recommendations no later than December 31, 2005.

**Committee Amendment "B" (S-223)** proposed the minority report. In addition to changes proposed in the majority report, it proposed additional language regarding tests to evaluate the impact of forest management on each of 6 criteria.

### *Enacted law summary*

Public Law 2001, chapter 339 directs the Director of the Bureau of Forestry, in cooperation with public and private landowners, to create experimental areas where the principles and applicability of outcome-based forest policy can be applied and tested. Chapter 339 defines "outcome-based forest policy" and requires the Governor to appoint a panel of technical experts to work with the director in implementing, monitoring and assessing tests of outcome-based forestry principles. It requires the Director of the Bureau of Forestry to

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report to the Legislature by December 31, 2005 on the feasibility of implementing outcome-based forestry as a basis for forest policy. The provisions regarding outcome-based forestry sunset July 1, 2006.

**LD 1695**                      **An Act to Clarify, Enhance and Strengthen the Animal Welfare Laws of Maine**                      **PUBLIC 399 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON NUTTING J	OTP-AM	H-613

LD 1695 proposed changing the composition of the Animal Welfare Advisory Committee. It would have required nonlegislative appointments to be reviewed by the joint standing committee of the Legislature having jurisdiction over animal welfare and to be confirmed by the Senate. It proposed requiring the Commissioner of Agriculture, Food and Rural Resources to provisionally adopt rules to implement the cruelty to animals laws and for the rules to be reviewed by the Legislature as major substantive rules prior to final adoption. It proposed directing the Commissioner of Agriculture, Food and Rural Resources to develop a mechanism to share information on persons convicted of animal cruelty with the Department of Human Services and the Department of Public Safety. It proposed requiring the Commissioner of Agriculture, Food and Rural Resources to study and make recommendations for increasing funding for animal welfare programs and authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry to report out legislation to the Second Regular Session of the 120th Legislature.

**Committee Amendment "A" (H-613)** proposed replacing the original bill. It proposed several changes to the statutes relating to animal welfare and animal control including revising the membership and responsibilities of the Animal Welfare Advisory Committee

**LD 1733**                      **An Act to Prohibit the Misbranding of Genetically Engineered Food**                      **PUBLIC 334**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY GOOLEY	OTP-AM    MAJ ONTP        MIN	S-201

LD 1733 proposed allowing a food, food product or food ingredient to be labeled indicating that the product is free of or made without recombinant deoxyribonucleic acid technology, genetic engineering or bioengineering, in accordance with rules adopted by the Department of Agriculture, Food and Rural Resources.

**Committee Amendment "A" (S-201)** proposed the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. This amendment proposed designating the rules authorized as routine technical rules and changing the implementation date to January 1, 2002. It also proposed allowing a food 1% or less of which consists of genetically engineered ingredients to be labeled as free of genetically engineered ingredients.

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### *Enacted law summary*

Public Law 2001, chapter 334 permits the use of a label on any food, food product or food ingredient that indicates that the product is free of or made without recombinant deoxyribonucleic acid technology, genetic engineering or bioengineering, in accordance with routine, technical rules adopted by the Department of Agriculture, Food and Rural Resources. It allows a food 1% or less of which consists of genetically engineered ingredients to be labeled as free of genetically engineered ingredients.

**LD 1761**                      **Resolve, Establishing the Committee to Study and Make Recommendations to Enhance the Governance of the Allagash Wilderness Waterway**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN BUNKER	OTP-AM	S-162

LD 1761 proposed removing land within the restricted zone of the Allagash Wilderness Waterway from oversight and permitting requirements of the Maine Land Use Regulation Commission. It proposed establishing an Allagash Wilderness Advisory Council in statute to advise the Department of Conservation, Bureau of Parks and Lands on issues relating to the waterway. It proposed establishing in statute the authorized access points to the waterway.

**Committee Amendment "A" (S-162)** proposed replacing the bill with a resolve to establish the Committee to Study and Make Recommendations to Enhance the Governance of the Allagash Wilderness Waterway. LD 1761 as amended by S-162 was enacted in the House and placed on the Appropriations Table in the Senate. It died on adjournment.

**LD 1771**                      **Resolve, to Establish the Maine Cattle Health Assurance Program**                      **CARRIED OVER**

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

LD 1771 requires the Department of Agriculture, Food and Rural Resources to develop and implement the Maine Cattle Health Assurance Program. It specifies certain components of the program including the development of best management practices to promote dairy and beef farm profitability, animal health, food product safety and environmental quality; an on-site assessment, and an annual inspection and certification for participants in the program. It proposes establishment of a nonlapsing fund to receive public and private funding for the benefit of the program. It also proposes directing the department to enter into a memorandum of understanding with the Regional Dairy Quality Management Alliance for the purpose of obtaining expertise from other states in New England and the mid-Atlantic region.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1791**                      **Resolve, Authorizing a Land Transaction by the Bureau of Parks and Lands**                      **RESOLVE 53**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER TURNER	OTP-AM	H-582 H-637 MCKEE

LD 1791 proposed authorizing the Director of the Bureau of Parks and Lands within the Department of Conservation to convey a 62-acre parcel of land in the Town of New Gloucester and the Town of Pownal to October Corporation and to release deed restrictions on a 54-acre parcel of land previously conveyed to October Corporation in Resolve 1999, chapter 112.

**Committee Amendment "A" (H-582)** proposed correcting the acreage of nonreserved public lands being transferred to the October Corporation and adding a fiscal note.

**House Amendment "A" to Committee Amendment "A" (H-637)** proposed a correction to the fiscal note on committee amendment "A."

## *Enacted law summary*

Resolve 2001, chapter 53 authorizes the Director of the Bureau of Parks and Lands within the Department of Conservation to convey a 44-acre parcel of land in the Town of New Gloucester and the Town of Pownal to October Corporation and to release deed restrictions on a 54-acre parcel of land previously conveyed to October Corporation in Resolve 1999, chapter 112.

**LD 1792**                      **Resolve, Authorizing Certain Land Transactions by the Bureau of Parks and Lands**                      **RESOLVE 52**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN DESMOND	OTP-AM	S-244

LD 1792 proposed authorizing the conveyance of certain property by the Director of the Bureau of Parks and Lands within the Department of Conservation in exchange for certain property owned by Allagash Timberlands LP.

**Committee Amendment "A" (S-244)** proposed adding a fiscal note to the resolve.

# Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1810

**An Act to Implement the Recommendations of the Committee to Study Access to Private and Public Lands in Maine**

**PUBLIC 466**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted

H-658

S-387 GOLDTHWAIT

LD 1810 proposed legislation to implement the recommendations of the Committee to Study Access to Private and Public Lands in Maine. The Joint Standing Committee on Agriculture, Conservation and Forestry was authorized to report out legislation under Joint Order 1999, H.P. 1951.

**Committee Amendment "A" (H-658)** proposed an amendment to the committee bill to remove the proposed prohibitions on certain land acquisitions and to revise the provisions for granting a variance from reclamation standards for excavation sites.

**Senate Amendment "A" (S-219)** proposed additional revisions to the provisions for granting a variance from reclamation standards for excavation sites.

**Senate Amendment "B" (S-387)** proposed removing the sections of the bill that relate to reauthorizing the Committee to Study Access to Private and Public Lands in Maine. The committee was reauthorized in a Joint Study Order. See the summary for H.P. 1387.

## *Enacted law summary*

Public Law 2001, chapter 466 implements certain recommendations of the Committee to Study Access to Private and Public Lands in Maine. It requires the Land for Maine's Future Board to include in its biennial report to the Legislature a description of access to acquisitions made during the report period. It directs the Land for Maine's Future Board, the Department of Conservation, Bureau of Parks and Lands and the Department of Inland Fisheries and Wildlife to consider public vehicular access to land proposed for acquisition and to provide justification for land or interest in land acquired without public vehicular access.

It allows an owner or operator of a gravel pit or excavation site to receive a variance from reclamation standards required by the Department of Environmental Protection when that owner or operator, working with the Off-road Recreational Vehicle Division within the Department of Conservation, designs or develops a satisfactory plan for a recreational management area. When a variance is granted to allow a gravel pit to be reclaimed as a pond of 30 acres or greater, the owner must demonstrate that public access to the pond is ensured.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1811**                      **An Act to Permit the Salvage of Pulpwood**

**PUBLIC 391  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH CLARK	OTP-AM	S-307

LD 1811 proposed allowing companies previously chartered by the Legislature to store wood over publicly owned submerged lands to salvage the pulpwood for use in a company-owned facility. Compensation to the State for the value of the pulpwood would be waived as long as the salvage operation resulted in substantial improvements to public trust rights.

**Committee Amendment "A" (S-307)** proposed clarifying that a person must provide the required documentation and plan to the Department of Conservation, Bureau of Parks and Lands and obtain any applicable permits prior to beginning a pulpwood salvage operation. It also proposed clarifying that a person who salvages pulpwood must comply with the approved plan and all permitting and legal requirements pertaining to the salvage.

## *Enacted law summary*

Public Law 2001, chapter 391 allows companies previously chartered by the Legislature to store wood over publicly owned submerged lands to salvage sunken pulpwood for use in a company-owned facility. Compensation to the State for the value of the pulpwood is waived as long as the salvage operation results in substantial improvements to public trust rights.

Public Law 2001, chapter 391 was enacted as an emergency measure effective June 12, 2001.

**LD 1823**                      **Resolve, to Create a Commission to Study Issues Concerning  
Changes to the Traditional Uses of Maine Forests and Lands,  
Including Camp Lot Lease Arrangements and Public Enjoyment**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES MICHAUD MH		H-695 JONES S-340 KILKELLY

LD 1823 proposed creating the Commission to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands. This bill was not referred to a committee. LD 1823 was not enacted, however, a Joint Study Order established the Commission. See summary for H.P. 1391.

# Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1826**

**An Act to Provide Dairy Farmer Equity**

**PUBLIC 433**

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

LD 1826 proposed providing an automatic trigger to return Maine Milk Pool payments directly to eligible Maine dairy farmers whenever in any given month there is only one Maine market dealer subject to the Maine Milk Pool collection and the milk sold or distributed by that dealer during that month does not exceed 1,000,000 pounds. This bill was not referred to a committee.

## *Enacted law summary*

LD 1826 proposed providing an automatic trigger to return Maine Milk Pool payments directly to eligible Maine dairy farmers whenever in any given month there is only one Maine market dealer subject to the Maine Milk Pool collection and the milk sold or distributed by that dealer during that month does not exceed 1,000,000 pounds.

**HP 1214**

**JOINT ORDER - Relative to the Joint Study Committee to Examine Issues Relating to the North American Free Trade Agreement**

**DIED ON  
ADJOURNMENT**

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

Joint Order, HP1214 proposed establishment of the Joint Study Committee to Examine Issues Relating to the North American Free Trade Agreement (NAFTA). The committee would have consisted of all members of the Joint Standing Committee on Agriculture, Conservation and Forestry. The joint order would have required the committee to hold public hearings in areas of the state most affected by NAFTA. The order proposed directing the committee to examine trade issues relating to agriculture and forest products and to report on the issues studied to Maine's Congressional delegation and the Legislature.

## Joint Standing Committee on Agriculture, Conservation and Forestry

HP 1387

**JOINT STUDY ORDER – Joint Study Committee to Study Access to Private and Public Lands in Maine**

**PASSED**

Sponsor(s)  
SAXL

Committee Report

Amendments Adopted

### *Enacted law summary*

Joint Order, HP1387 reauthorizes the Committee to Study Access to Private and Public Lands in Maine. The 5 original legislative members continue to serve on the committee. The committee is charged with determining the status of public access to flowed lakes and reviewing the division and sale of land by timber companies and the acquisition of land surrounding the State's great ponds by private individuals. The committee is to consider policy options to promote continued public access to public and private lands. In addition, the committee is directed to work with the Department of Inland Fisheries and Wildlife and the Maine Forest Service to develop a map illustrating significant areas where public access is restricted, prohibited or permitted with the payment of a fee. The committee is required to submit its report to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 5, 2001 and is authorized to introduce legislation relating to its report by that date.

HP 1391 and 1393

**JOINT STUDY ORDER – Joint Study Committee to Study Issues Containing Changes to the Traditional Uses of Maine Forests and Lands**

**PASSED**

Sponsor(s)  
SAXL  
JONES

Committee Report

Amendments Adopted

### *Enacted law summary*

Joint Order HP 1391 as amended by HP 1393 establishes the Committee to Study Issues Concerning Changes to the Traditional Uses of Maine Forests and Lands. The committee consists of 5 legislators, the Commissioner of Conservation or the commissioner's designee, and a representative of the Maine Land Use Regulation Commission. The committee is directed to study the economic and societal impact of the termination of camp lot lease arrangements and develop a plan to preserve the traditional camp lot lease arrangements and public enjoyment of state lands. The committee is required to submit a report and plan along with any necessary implementing legislation to the Second Regular Session of the 120<sup>th</sup> Legislature by November 1, 2001.

## Joint Standing Committee on Agriculture, Conservation and Forestry

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