

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Agriculture, Conservation and Forestry*

*August 2005*

**Staff:**

*Jill Ippoliti, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

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Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**LD 204**

**An Act To Protect Dogs That Are Left Outside**

**PUBLIC 340**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN NUTTING J	OTP-AM	H-484 S-309 NUTTING J

LD 204 proposed additional statutory requirements for the type of shelter that must be available for a dog to protect it from inclement weather and for the type of chaining device that confines an animal.

**Committee Amendment "A" (H-484)** proposed replacing the bill. It proposed tethering and shelter standards specific to dogs that are confined outside on tethers for long periods and modification of those standards that are appropriate for arctic breeds.

**House Amendment "A" to Committee Amendment "A" (H-546)** proposed reducing the required chain or tether length for arctic breeds to 1.5 times the length of the dog if the anchor is a pivot point allowing a 360° area of movement.

**Senate Amendment "A" to Committee Amendment "A" (S-309)** proposed changes to the criminal provision for animal cruelty consistent with the changes for civil violations made in House Amendment "A" to Committee Amendment "A."

*Enacted law summary*

Public Law 2005, chapter 340 establishes tethering and shelter standards specific to dogs that are confined outside on tethers for long periods. It establishes standards that are appropriately different for arctic breeds.

**LD 216**

**An Act To Make Revisions to the Laws Governing Agriculture**

**PUBLIC 382**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIOTTI NUTTING J	OTP-AM	H-671

LD 216 proposed several changes to the law that were identified as necessary during the preliminary work on the recodification of the Maine Revised Statutes, Title 7. Part A of this bill proposed eliminating unnecessary findings and purposes sections. Part B proposed correcting an obsolete reference and eliminates a duplicative provision.

**Committee Amendment "A" (H-671)** proposed several additional parts to the bill, including revisions to statutory provisions relating to institutional food purchasing and several clarifications to the Maine milk laws.

*Enacted law summary*

Public Law 2005, chapter 382 eliminates unnecessary findings and purposes sections in the Maine Revised Statutes, Title 7. It makes revisions to statutory provisions relating to institutional food purchasing. It directs the Commissioner of Agriculture, Food and Rural Resources to establish an advisory committee to discuss expanding the purchase of food that is locally produced, to convene a working group to discuss issues relating to food policy

## Joint Standing Committee on Agriculture, Conservation and Forestry

and to submit a report with recommendations to the Second Regular Session of the 122nd Legislature. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation that session pertaining to food policy and the promotion of locally produced foods.

It clarifies the definition and use of the word "cervids." It removes a time restriction on foals resulting from insemination being registered as Maine standardbreds. It revises the board memberships for the Maine Dairy Promotion Board and the Maine Dairy and Nutrition Council and makes several clarifications to the Maine milk laws.

Chapter 382 also directs the Department of Agriculture, Food and Rural Resources to submit legislation to implement its recommendations to address legal ambiguities in the Maine Revised Statutes, Title 7. It directs the department to seek drafting assistance from the Office of Policy and Legal Analysis.

### LD 429                      **An Act To Require Veterinarians To Provide Vaccine Disclosure Forms**                      **ONTP**

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

LD 429 proposed requiring a veterinarian to provide information regarding the advantages and disadvantages of vaccines to the owner of a dog or cat before vaccinating the dog or cat.

**Committee Amendment "A" (H-254)** proposed the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry to add a penalty provision to the bill. The minority report was not accepted.

### LD 433                      **An Act To Allow the Department of Conservation To Create Dedicated Accounts for Sales of Merchandise and Acceptance of Donations**                      **PUBLIC 57 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM	H-81
BRYANT B		

LD 433 proposed allowing the Commissioner of Conservation to create dedicated accounts for the deposit of money received from the sale of general merchandise products such as t-shirts, audio and video recordings, coffee mugs, tote bags and calendars.

**Committee Amendment "A" (H-81)** proposed directing the Commissioner of Conservation to register for copyright protection original artwork used on products for sale, to contract with Maine businesses for the production of merchandise whenever possible and to limit sales to products of high quality and appropriate for sale by the department.

### *Enacted law summary*