

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

August 2017

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

***Joint Standing Committee on Agriculture, Conservation and Forestry***

**LD 1593**

**An Act To Amend the Animal Welfare Laws To Add Provisions Relating to the Surrender of Animals**

**Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOLFIELD T	OTP-AM ONTP	

This bill allows the Commissioner of Agriculture, Conservation and Forestry in cases of alleged cruelty to animals to waive costs and fees associated with the surrender of animals, and to decide that the case should not be sent to the attorney for the State, as long as the person who is subject to the investigation has voluntarily surrendered the animals to the Department of Agriculture, Conservation and Forestry and has not previously been charged with cruelty to animals or charged with animal neglect. If the commissioner waives such costs or fees or decides that the case shouldn't be sent to the attorney for the State, the commissioner shall require the person to sign an affidavit stating that the person will never again possess or own animals of the same species as the animals that were surrendered.

**Committee Amendment "A" (H-446)**

This amendment is the majority report of the committee and provides that the commissioner may not waive costs and fees associated with the surrender of animals or decide that the case should not be sent to the attorney for the State unless the person agrees to sign an affidavit stating that the person will never again possess or own any animals of the same species as the animals that were surrendered until the person can properly care for them and has the financial capacity to properly care for them, as determined by the commissioner.

This amendment was not adopted.

**LD 1598**

**An Act To Allow the Commercial Growth and Sale of Water Spinach in the State**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE M HILL D	OTP-AM ONTP	H-380

This bill requires the Department of Agriculture, Conservation and Forestry to provide information about the proper process for obtaining a federal permit to individuals seeking to grow and sell water spinach in Maine and requires the State to allow the commercial growth and sale of water spinach as long as the permittee follows federal guidelines in the construction of any greenhouse and in the handling of the plants after sale.

**Committee Amendment "A" (H-380)**

This amendment clarifies the language of the bill. The bill suggests that the State is required to complete a permit application and approve the application on behalf of an applicant for a federal permit to grow and sell *Ipomoea aquatica* Forssk., commonly referred to as water spinach, and then approve the application. The amendment clarifies that the State is prohibited from objecting to the issuance of a federal permit as long as federal guidelines and standards for the handling of the plants are followed.