

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
AGRICULTURE, CONSERVATION AND FORESTRY

AUGUST 1995

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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

**LD 888      An Act to Establish a Spaying and Neutering Program for Domestic Pets      ONTP**

**SPONSOR(S)      COMMITTEE REPORT      AMENDMENTS ADOPTED**  
PERKINS      ONTP

**SUMMARY**

The bill would have established a program to increase the spaying and neutering of domestic pets through a voucher system administered by the Department of Agriculture, Food and Rural Resources through local animal shelters. The cost of the program would have been funded by an additional 2% sales tax on pet supplies.

**LD 897      An Act to Ban the Tripping of Equines      PUBLIC 144**

**SPONSOR(S)      COMMITTEE REPORT      AMENDMENTS ADOPTED**  
HANLEY      OTP-AM      MAJ      S-107  
                 ONTP      MIN

**SUMMARY**

This bill, which is modeled on similar legislation in California, prohibits the tripping of horses.

COMMITTEE AMENDMENT "A" (S-107) replaces section 2 of the bill. It prohibits a person from causing an equine to fall or lose its balance by any means. It also defines the term "equine."

The amendment also changes the title of the bill and adds a fiscal note.

**LD 899      An Act to Establish Procedures for Entering Property upon Receiving Complaints of Animal Cruelty      ONTP**

**SPONSOR(S)      COMMITTEE REPORT      AMENDMENTS ADOPTED**  
CARPENTER      ONTP

**SUMMARY**

The bill would have permitted an animal control officer or a law enforcement officer to enter premises if the officer has reasonable cause to believe that animal cruelty is occurring or that animals are being kept on the premises in a condition that threatens the health or safety of persons.

**LD 906      An Act Authorizing the Director of the Maine Forest Service to Dispose of Facilities and Properties of the Bureau of Forestry in Order to Streamline Operations      INDEF PP**

**SPONSOR(S)      COMMITTEE REPORT      AMENDMENTS ADOPTED**  
CASSIDY      OTP-AM      S-124

**SUMMARY**

This bill authorizes the sale of facilities owned by the Division of Forest Fire Control in the Department of Conservation in order to consolidate and streamline operations. The proceeds will be used to improve the safety and efficiency of remaining facilities and make it possible to bring those facilities up to current building codes without impact on the General Fund. This bill also eliminates an obsolete reference to the sale of property at the state nursery. The Legislature approved the sale of that property last year.

COMMITTEE AMENDMENT "A" (S-124) replaces section 1 of the bill and adds a new section. It authorizes the Director of the Maine Forest Service to use the proceeds from the sale or lease of any bureau property, except for state forests and natural areas, to upgrade existing structures owned by the Division of Forest Fire Control, to consolidate operations of the division through the improvement, repair, replacement, purchase or construction of structures and to purchase land upon which to construct structures. It also requires that any land purchased and any structures purchased or constructed be held in the division's name.

The amendment also changes a reference to the committee to which the Director of the Maine Forest Service must report before offering for sale surplus property. The reference is changed from the joint standing committee of the Legislature having jurisdiction over natural resources to the joint standing committee of the Legislature having jurisdiction over forest resources.

The amendment also eliminates obsolete references to the sale of property at the state nursery and to the transfer of the low-level radioactive waste site on the state nursery property.

The amendment also adds a fiscal note to the bill.

**LD 935      An Act to Amend the Sheltering Requirements for Dogs and      ONTP**  
**to Provide Funding for the Spaying and Neutering of Cats**  
**and Dogs**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
LOOK	ONTP	

**SUMMARY**

The bill would have established the Spaying and Neutering Program to provide a discount to low-income owners of dogs and cats who wish to have their pets sterilized. The program would have been funded by a portion of the revenue raised by licensing dogs.

The bill would have also amended current animal welfare laws to specify sheltering and tethering requirements for dogs. The new requirements would have been identical to rules issued by the Department of Agriculture, Food and Rural Resources for kennels.

**LD 941      An Act to Clarify the Board of Pesticides Control Authority      ONTP**  
**Regarding Restricted Use Pesticides and Groundwater**  
**Contamination**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
SHIAH	ONTP      MAJ	
	OTP-AM      MIN	

**SUMMARY**

The bill would have amended the definition of "restricted use pesticide" to conform to the Maine Revised Statutes, Title 22, section 1471-C, subsection 23, which provides that a pesticide may be classified for restricted use either by the federal Environmental Protection Agency or by state authorities. This bill would have clarified that the appropriate state authority for pesticide control is the Department of Agriculture, Food and Rural Resources, State Board of Pesticides Control. This bill would have also required the State Board of Pesticides Control to adopt rules minimizing pesticide contamination in groundwater.