

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

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

July 2007

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**STAFF:**

JILL IPPOLITI, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Agriculture, Conservation and Forestry

limited-term deed restrictions. It requires the department to implement a pilot program and the Commissioner of Agriculture, Food and Rural Resources to report to the Joint Standing Committee on Agriculture, Conservation and Forestry annually for the duration of the pilot project.

## LD 1727 An Act To Require Veterinarians To Notify the Department of Agriculture, Food and Rural Resources of Rabies Vaccinations of Dogs

PUBLIC 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL	OTP-AM	H-121

LD 1727 requires a veterinarian who issues a certificate of rabies vaccination for a dog to forward within one month of issuing the certificate a copy of the certificate to the clerk of the municipality in which the owner resides or, if the owner resides in the unorganized territory, to the dog recorder in that unorganized territory or, in the absence of a duly authorized dog recorder, to a dog recorder in the nearest municipality or unorganized territory in the same county in which the owner resides.

### Committee Amendment "A" (H-121)

This amendment requires a veterinarian to send a copy of dog rabies certificates to the Department of Agriculture, Food and Rural Resources instead of to municipal clerks. The department is charged with periodically distributing the certificates received to the appropriate municipal clerk or dog recorder. It requires the Commissioner of Agriculture, Food and Rural Resources to provide veterinarians with contact information.

### Enacted Law Summary

Public Law 2007, chapter 119 requires a veterinarian to send a copy of dog rabies certificates to the Department of Agriculture, Food and Rural Resources. The department is charged with periodically distributing the certificates received to the appropriate municipal clerk or dog recorder. It requires the Commissioner of Agriculture, Food and Rural Resources to notify veterinarians of the new law and to provide an e-mail address, mailing address and a Fax number for veterinarians to use for submitting copies of certificates to the department.

## LD 1768 Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine and Chapter 255: Imported Seed Potatoes, Major Substantive Rules of the Department of Agriculture, Food and Rural Resources

RESOLVE 42  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-203

LD 1768 provides for legislative review of portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a major substantive rule of the Department of Agriculture, Food and Rural Resources.

### Committee Amendment "A" (H-203)

This amendment authorizes final adoption of portions of Chapter 255: Imported Seed Potatoes, a provisionally adopted rule of the Department of Agriculture, Food and Rural Resources in addition to portions of Chapter 252.

### Enacted Law Summary

# Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2007, chapter 42 authorizes final adoption of portions of Chapter 255: Imported Seed Potatoes, a provisionally adopted rule of the Department of Agriculture, Food and Rural Resources in addition to portions of Chapter 252.

Resolve 2007, chapter 42 was enacted as an emergency measure effective May 29, 2007.

## LD 1798 An Act To Fund Pesticide Education in the State

PUBLIC 302

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHARD	ONTP MAJ OTP-AM MIN	H-324

LD 1798 establishes the Maine Pesticide Education Fund. Money in the fund is to be distributed to the Integrated Pest Management Fund, the Board of Pesticides Control and the University of Maine Cooperative Extension for pest management education programs. A 15¢ per container fee is imposed on the retail sale of pesticides for deposit in the fund.

### Committee Amendment "A" (H-324)

This amendment is the minority report. It removes the proposed collection of a fee on consumer containers of pesticides as a funding source.

### Enacted Law Summary

Public Law 2007, chapter 302 establishes the Maine Pesticide Education Fund. Money in the fund is to be distributed to the Integrated Pest Management Fund, the Board of Pesticides Control and the University of Maine Cooperative Extension for pest management education programs. The fund is dependent on contributions from public and private sources.

## LD 1891 An Act To Designate Certain Rules of the Board of Pesticides Control as Major Substantive Rules

PUBLIC 145  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1891 designates certain rules of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control as major substantive rules. This bill was a committee report of the Joint Standing Committee on Agriculture, Conservation and Forestry.

### Enacted Law Summary

Public Law 2007, chapter 145 designates certain rules proposed for adoption by the Board of Pesticides Control after July 1, 2007 as major substantive rules. This designation applies to rules relating to:

1. Drift from outside spraying;
2. Notification requirements for outside spraying;
3. Pesticides applications in occupied buildings;
4. A notification registry for indoor applications of pesticides; and