

# MAINE STATE LEGISLATURE

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



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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# STATE OF MAINE

124<sup>TH</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 124<sup>th</sup> Maine Legislature.

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:

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; 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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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***

**LD 509      An Act To Transfer the Operation of the Fort Knox State Historic Site  
to the Friends of Fort Knox**

**ACCEPTED ONTP  
REPORT**

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

This bill directs the Bureau of Parks and Lands within the Department of Conservation to transfer management and operations responsibilities for the Fort Knox State Historic Site to the Friends of Fort Knox.

**Committee Amendment "A" (H-61)**

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It restricts the contract under which management and operations responsibilities are transferred to 2 years in duration, repealing the transfer of responsibilities on May 1, 2012. It also specifies that 5% of all entrance fees go to the General Fund.

**LD 516      An Act To Increase the Number of Members of the Maine Land Use  
Regulation Commission Who Reside in the Commission's Jurisdiction**

**PUBLIC 328**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS SMITH D	OTP-AM A OTP B OTP-AM C	H-387

This bill requires that a majority of the members of the Maine Land Use Regulation Commission reside within the jurisdiction of the commission, increasing the number from 2 to 4.

**Committee Amendment "A" (H-387)**

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It requires that 3 members reside within the jurisdiction of the commission.

**Enacted Law Summary**

Public Law 2009, chapter 328 increases the number of members of the Maine Land Use Regulation Commission who must reside in the commission's jurisdiction from 2 to 3.

**LD 517      An Act To Clarify a Municipality's Authority To Contract with an  
Animal Shelter for Services**

**PUBLIC 177**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEARY JACKSON	OTP-AM	H-192

This bill authorizes an animal shelter to employ an animal control officer with duties and certification requirements identical to those of an animal control officer designated by a municipality. It authorizes a municipality to contract

# Joint Standing Committee on Agriculture, Conservation and Forestry

with a shelter for an animal control officer's services.

## Committee Amendment "A" (H-192)

This amendment replaces the bill. It clarifies that a municipality may appoint a person employed by an animal shelter as an animal control officer. It authorizes a municipality to contract with a licensed animal shelter for animal control services, but it restricts the performance of certain duties to an employee of that shelter who is the appointed animal control officer for the municipality.

## Enacted Law Summary

Public Law 2009, chapter 177 clarifies a municipality's authority to appoint a person employed by an animal shelter as an animal control officer. It authorizes a municipality to contract with a licensed animal shelter for animal control services, but restricts the performance of certain duties to an employee of that shelter who is the appointed animal control officer for the municipality.

## LD 557      **Resolve, Directing the Study of a Potato Variety Demonstrating Resistance to the Colorado Potato Beetle**

**RESOLVE 80**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM	H-275

This resolve directs the Department of Agriculture, Food and Rural Resources to examine the potential uses of a locally developed potato plant that is toxic to the Colorado potato beetle. Before conducting the study, the department must obtain the appropriate approval, names or other legal permission from the developer. The department is directed to report its findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2009.

## Committee Amendment "A" (H-275)

This amendment directs the study of the potato variety known as the "Shaw Potato" to be conducted by the University of Maine as part of the Maine Potato Breeding Program. It identifies sources of funding and requires the Maine Potato Board to report to the Maine State Grange in addition to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2009.

## Enacted Law Summary

Public Law 2009, chapter 80 directs the study of the potato variety known as the "Shaw Potato" to be conducted by the University of Maine as part of the Maine Potato Breeding Program. It identifies sources of funding and requires the Maine Potato Board to report to the Maine State Grange in addition to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2009.

## LD 558      **An Act To Amend Notification Procedures of the Maine Land Use Regulation Commission**

**ONTP**

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