

# 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  
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## 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

representatives of the judicial branch and the district attorneys processes for seizing abused animals and the requirements for care of the seized animals prior to final disposition. The commissioner and other participants are to report to the Joint Standing Committee on Agriculture, Conservation and Forestry with recommendations to expedite court actions in cases involving cruelty to animals. The Joint Standing Committee on Agriculture, Conservation and Forestry is authorized to submit legislation pertaining to animal welfare and funding of the animal welfare program to the Second Regular Session of the 124th Legislature.

### LD 965 An Act To Establish Annual Reporting for Genetically Engineered Crops

PUBLIC 323

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRATT DAMON	OTP-AM	H-385

This bill requires a manufacturer to annually report to the Commissioner of Agriculture, Food and Rural Resources an estimate of the potential acreage of genetically modified crops that could be planted based on sales.

#### Committee Amendment "A" (H-385)

This amendment directs the Commissioner of Agriculture, Food and Rural Resources to provide the Department of Conservation, Bureau of Forestry with aggregate information on sales of trees, tree seedlings, tree seeds, tree scions and other propagative materials that are genetically engineered. LD 965, as amended, was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to laws governing public records.

#### Enacted Law Summary

Public Law 2009, chapter 323 requires a manufacturer to annually report to the Commissioner of Agriculture, Food and Rural Resources an estimate of the potential acreage of genetically modified crops that could be planted based on sales. It requires the Commissioner of Agriculture, Food and Rural Resources to provide the Department of Conservation, Bureau of Forestry with aggregate information on sales of trees, tree seedlings, tree seeds, tree scions and other propagative materials that are genetically engineered.

### LD 972 Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Board of Pesticides Control

RESOLVE 115  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-384

This resolve provides for legislative review of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a major substantive rule of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control.

#### Committee Amendment "A" (H-384)

This amendment denies final adoption of the rule.

# Joint Standing Committee on Agriculture, Conservation and Forestry

## Enacted Law Summary

Resolve 2009, chapter 115 denies the Board of Pesticides Control authorization to finally adopt revisions to the board's rules regarding notification for outdoor pesticides application, rules chapter 28. The committee instead supported changes to notification proposed in LD 1293. See bill summary for LD 1293, An Act To Require Citizen Notification of Pesticide Applications Using Aerial Spray or Air-carrier Application Equipment.

Resolve 2009, chapter 115 was finally passed as an emergency measure effective June 12, 2009.

### LD 988      **An Act To Increase the Penalty for Keeping a Dangerous Dog That Harms a Domesticated Animal**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCFADDEN RAYE	ONTP	

This bill allows a court to order that a dangerous dog be euthanized if that dog has killed, maimed or inflicted serious bodily injury upon a domesticated animal.

### LD 1021      **An Act To Prohibit Cruel Confinement of Calves Raised for Veal and Sows during Gestation**      **PUBLIC 127**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	H-120   PIEH S-72

This bill prohibits the cruel confinement of calves raised for veal and sows during gestation.

#### **Committee Amendment "A" (S-72)**

This amendment allows a sow to be confined until her litter is weaned.

#### **House Amendment "A" (H-120)**

This amendment extends the change made by Committee Amendment "A" to another relevant section of the bill to allow a sow to be confined until her litter is weaned.

## Enacted Law Summary

Public Law 2009, chapter 127 establishes definitions and provisions to prohibit the cruel confinement of calves being raised for veal or sows during gestation. Confining a calve or a sow in a manner that prevents the animal from lying down, standing up, fully extending its limbs and turning around freely is a violation of Maine's animal cruelty laws. Chapter 217 contains exceptions for situations in which strict confinement is necessary.