

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<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**

July 2011

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STATE OF MAINE  
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND  
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125<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. 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 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 125<sup>th</sup> Legislature is September 28, 2011. 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 55**      **An Act To Restore Hunting Rights in the Katahdin Lake Region**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS THOMAS	ONTP	

LD 55 directs the Baxter State Park Authority to allow hunting on the approximately 4,040-acre parcel surrounding Katahdin Lake that was transferred to the authority for inclusion in the park in December 2006. It allows the authority to place restrictions on certain types of hunting through rulemaking.

**LD 67**      **An Act Relating to Standardbred Horse Breeding**      **PUBLIC 16  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SHERMAN	OTP-AM	H-9

LD 67 provides that Maine Standardbred stallions registered in the State on January 1st of the breeding year may breed with mares in the State. A stallion that is not registered on January 1st may breed upon payment of the registration fee and a late payment fee.

**Committee Amendment "A" (H-9)**

This amendment clarifies the intent of LD 67 and limits the extended period for registering a stallion to stand at stud to the 2011 and 2012 breeding seasons .

**Enacted Law Summary**

Public Law 2011, chapter 16 allows a stallion to be registered at any time prior to July 15th to stand at stud in Maine for the purpose of siring foals eligible to be registered as Maine Standardbred horses. It requires a late fee to be paid in addition to the registration fee for registrations after January 1st. This provision is in effect for the 2011 and 2012 breeding seasons and is repealed on December 31, 2012.

Public Law 2011, chapter 16 was enacted as an emergency measure effective March 31, 2011.

**LD 89**      **An Act Regarding Repeated Animal Trespass**      **PUBLIC 18  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE LANGLEY	OTP-AM	H-17

LD 89 includes within the animal trespass law repeated instances of trespass by an animal or animals as a civil violation.

**Committee Amendment "A" (H-17)**

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

This amendment authorizes designated employees of the Department of Agriculture, Food and Rural Resources to respond to complaints of animal trespass. It requires an animal to be removed immediately if private or public property is threatened. Under current law, immediate removal is required only if public safety is threatened. It revises the number of trespasses in a given period that constitutes a violation.

**Enacted Law Summary**

LD 2011, chapter 18 authorizes designated employees of the Department of Agriculture, Food and Rural Resources to respond to complaints of animal trespass. It expands violations of the animal trespass laws to include failure to remove an animal immediately if private or public property is threatened and to an animal found to be trespassing 5 or more days within a 30-day period or 3 or more days within a 7-day period.

Public Law 2011, chapter 18 was enacted as an emergency measure effective April 1, 2011.

**LD 92      Resolve, To Dedicate the Haystack Mountain Summit Trail to the      **RESOLVE 18**  
**Memory of Dustin J. Libby****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE A SHERMAN	OTP-AM	H-18

LD 92 directs the Department of Conservation, Bureau of Parks and Lands to designate the public hiking trail on Haystack Mountain in Castle Hill the Dustin J. Libby Trail.

**Committee Amendment "A" (H-18)**

This amendment directs the Department of Conservation, Bureau of Parks and Lands to place a sign at the trailhead of the public hiking trail leading to the summit of Haystack Mountain and a memorial bench with a plaque at the summit dedicating the trail to the memory of Dustin J. Libby.

**Enacted Law Summary**

Resolve 2011, chapter 18 directs the Department of Conservation, Bureau of Parks and Lands to place a sign at the trailhead of the public hiking trail leading to the summit of Haystack Mountain and a memorial bench with a plaque at the summit dedicating the trail to the memory of Dustin J. Libby.

**LD 99      An Act To Allow the Use of Public Funds for the Repair and      **ONTP**  
**Maintenance of Private Roads and Bridges and To Ensure Public**  
**Access to the Seboomook Lake Region****

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

LD 99 authorizes the Department of Conservation, Bureau of Parks and Lands to repair and maintain, or cause to be repaired and maintained, a private road, private way or bridge to provide public access to nonreserved public lands, public reserved lands or private lands on which an easement guaranteeing public access for recreational uses is held. The bill also directs the Department of Conservation to negotiate an agreement with owners of land along an approximately 13-mile section of Northern Road in Somerset County for the purpose of providing year-round motor vehicle access to public lands in the Seboomook Lake region and to Pittston Farm.