

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH 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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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 125th 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 125th 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 242 An Act To Prevent the Spread of Milfoil in the Songo River

**DIED BETWEEN
HOUSES**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| WATERHOUSE SHERMAN | | |

LD 242 directs the Commissioner of Environmental Protection and the Commissioner of Conservation to close the lock on the Songo River in the Town of Naples to prevent the upstream spread of aquatic invasive plant species.

This bill was voted by the House and Senate without reference to a committee.

**LD 320 An Act To Amend Shelter Provisions To Accommodate Rotational
Grazing of Livestock**

PUBLIC 76

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| EDGECOMB | OTP-AM | H-98 |

LD 320 exempts livestock producers from certain shelter requirements for livestock while they are kept under a rotational grazing system.

Committee Amendment "A" (H-98)

This amendment clarifies that livestock kept under a rotational grazing system are exempt from shelter requirements only when the animals are in good body condition and physically able to access food and water.

Enacted Law Summary

Public Law 2011, chapter 76 exempts livestock kept under a rotational grazing system from shelter requirements when the animals are in good body condition and physically able to access food and water.

**LD 321 An Act To Change the Qualifications of Certain Members of the Board
of Pesticides Control**

PUBLIC 119

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| EDGECOMB | OTP-AM | H-187 |

LD 321 expands the specialty areas in which the scientist member of the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control may specialize and also specifies that one public member must have practical experience and knowledge of pesticides use in ornamental horticulture and urban landscapes.

Committee Amendment "A" (H-187)

This amendment revises statutory provisions for members of the Board of Pesticides Control in a different way than

Joint Standing Committee on Agriculture, Conservation and Forestry

the original bill. It removes the requirement from the statutes that the 2 public members of the Board of Pesticides Control have a demonstrated interest in environmental protection. The amendment also removes the requirement from the statutes that the scientist from the University of Maine System serving on the board specialize in either agronomy or entomology. The amendment also adds an application clause stating that these changes do not require the termination of current members of the board.

Enacted Law Summary

Public Law 2011, chapter 119 removes the requirement from the statutes that the 2 public members of the Board of Pesticides Control have a demonstrated interest in environmental protection. It also removes the requirement from the statutes that the scientist from the University of Maine System serving on the board specialize in either agronomy or entomology.

LD 330 An Act To Exempt Farm Food Products and Homemade Food Offered for Sale or for Consumption at Certain Events from Certain Licensing Requirements ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KUMIEGA | ONTP | |

LD 330 facilitates direct sales between Maine farmers and consumers. It allows people preparing food in their own homes to sell directly to consumers or to offer homemade food at certain events without being licensed as food establishments.

LD 362 Resolve, Directing the Department of Conservation To Acquire an Easement To Provide Access to the Dead River Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCCABE | | |

LD 362 directs the Department of Conservation, Bureau of Parks and Lands to acquire a public right-of-way approximately 16 miles in length along the Lower Enchanted Road, from Route 201 in West Forks Plantation westward to and including an area commonly used for vehicle parking, trip staging and watercraft access to the Dead River near its confluence with Spencer Stream.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 363 An Act To Facilitate Local Food Production INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TILTON SHERMAN | OTP-AM MAJ ONTP MIN | |