

# 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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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 491      An Act To Require All Kennels Engaged in Breeding To Be Licensed  
and Inspected by the State**

**LEAVE TO  
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE	LV/WD	

LD 491 amends the definitions of "breeding kennel" and "kennel" in the animal welfare laws. It requires a person keeping 5 or more dogs, wolf hybrids or cats that are capable of breeding to obtain a license as a breeding kennel from the Department of Agriculture, Food and Rural Resources. It clarifies that a person maintaining a licensed breeding kennel is not required to obtain a municipal kennel license and is not subject to inspection by an animal control officer. It requires a person with a municipal kennel license to obtain a vendor's license to sell more than one dog or cat per year.

**LD 514      An Act Regarding Conveyance of Easements across Railroad  
Rights-of-way**

**PUBLIC 278**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-183

LD 514 allows the Department of Conservation, Bureau of Parks and Lands and the Land For Maine's Future Board to sell or convey easements across rail trails without legislative approval.

**Committee Amendment "A" (S-183)**

This amendment revises the proposed authority of the Director of the Bureau of Parks and Lands within the Department of Conservation to convey a right of access by easement across a rail trail.

**Enacted Law Summary**

Public Law 2011, chapter 278 requires the director to notify interested parties at least 30 days prior to conveying a right of access across railroad rights-of-way by easement. The definition of interested parties includes Legislators. Chapter 278 provides an opportunity for a Legislator to object to a proposed conveyance and necessitates review by the legislative committee of jurisdiction if an objection is received.

Chapter 278 requires an access easement to contain terms ensuring the safety, maintenance and continuity of the rail trail and protection of the public investment and specifies that a negotiated exchange of value may include improvements to the rail trail and that proceeds from the sale of a right of access by easement must be deposited into the Maine State Parks and Recreational Facilities Development Fund.