

# 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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**STAFF:**

JILL IPPOLITI, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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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 837      Resolve, To Enhance the Use of Integrated Pest Management on School Grounds**

**RESOLVE 59**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON ALFOND	OTP-AM MAJ OTP-AM MIN	H-213

LD 837 requires that the use of pesticides on school grounds is restricted to situations that pose a health threat to a student or staff member and when the presence of animals or insects have been identified as a public health nuisance. It requires the Commissioner of Health and Human Services to adopt rules to provide similar restrictions on the use of pesticides on the grounds of child care facilities and nursery schools.

**Committee Amendment "A" (H-213)**

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It replaces the bill with a resolve directing the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to develop and disseminate best management practices for the establishment and maintenance of school lawns, playgrounds and athletic fields.

**Committee Amendment "B" (H-214)**

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It exempts a family dwelling used as a home school from the restrictions on pesticides use affecting public and other private schools.

The minority amendment was not adopted.

**Enacted Law Summary**

Resolve 2011, chapter 59 directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to develop and disseminate best management practices for the establishment and maintenance of school lawns, playgrounds and athletic fields. It directs the board to assess compliance with regulation of pesticides use in schools and on school grounds and to report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than February 1, 2012. It requires a follow-up report to the legislative committee of jurisdiction in 2014.

**LD 850      An Act To Improve the Protection of Animals**

**PUBLIC 288**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY	OTP-AM	S-243

LD 850 transfers responsibility for issuing dog or cat vendor's licenses to municipalities. It adds enforcement of the vendor's licensing law to the duties of an animal control officer. It increases the fine for failure to obtain a vendor's license or display a vendor's license number in advertising. It specifies the dimensions for the portal to a shelter used for dogs confined outside for long periods. It allows any person to remove an animal from a vehicle if the animal's health is in immediate danger. It establishes requirements to ensure the safety of dogs transported in the back of a pickup or other open vehicle.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**Committee Amendment "A" (S-243)**

This amendment revises the authority to remove an animal from a car when necessary for the animal's health or safety. The bill proposes extending that authority to any person. The amendment extends the authority to firefighters, first responders and licensed security guards. It removes the provisions in the bill pertaining to vendor's licenses, shelter requirements for dogs and securing a dog transported in an open vehicle.

**Enacted Law Summary**

Public Law 2011, chapter 288 extends the authority to remove an animal from a vehicle if the animal's health is in immediate danger to firefighters, first responders and licensed security guards.

**LD 861      An Act To Extend the Time by Which Certified Plans for a Subdivision      INDEF PP  
Must Be Filed**

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

LD 861 extends the time by which certified plans for a subdivision within the jurisdiction of the Maine Land Use Regulation Commission must be filed from 30 days to 90 days. This bill was not referred to a policy committee.

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

**LD 922      Resolve, To Review the Laws Governing Slaughterhouses      RESOLVE 66**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE SCHNEIDER	OTP-AM	H-114 H-270 MCCABE

LD 922 directs the Department of Agriculture, Food and Rural Resources to examine the laws and rules governing small slaughterhouses and the process it uses to answer questions posed to it by owners and operators of small slaughterhouses. It directs the department to describe steps to ensure that the answers it provides are in writing and timely, clear, consistent and complete. The department shall report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than May 1, 2011. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the First Regular Session of the 125th Legislature on the subject matter of the department's report.

**Committee Amendment "A" (H-114)**

This amendment removes the emergency preamble and emergency clause. It also requires a review of laws pertaining to all slaughterhouse rather than to only small slaughterhouses. It extends the time for the required report until January 15, 2012 and authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to submit legislation to the Second Regular Session of the 125th Legislature rather than the First Regular Session of the 125th Legislature.

**House Amendment "A" To Committee Amendment "A" (H-270)**