

# 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  
125<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 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*

**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)**

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

This amendment removes the requirement in Committee Amendment "A" that the Department of Agriculture, Food and Rural Resources examine the process it uses to answer questions posed to it by owners and operators of slaughterhouses and describe steps it will take to ensure that the answers it provides are in writing and timely, clear, consistent and complete.

**Enacted Law Summary**

Resolve 2011, chapter 66 directs the Department of Agriculture, Food and Rural Resources to examine the laws and rules governing slaughterhouses with particular emphasis on obstacles that prevent slaughterhouses from processing many different species of animals as efficiently and safely as possible. The department shall report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2012. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 125th Legislature on the subject matter of the department's report.

**LD 975      An Act To Require Certification of Private Applicators of General Use      PUBLIC 169**  
**Pesticides**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J SHERMAN	OTP-AM	H-163

LD 975 requires certification of private applicators using general use pesticides in the commercial production of food intended for human consumption beginning April 1, 2012. It directs the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control to establish certification requirements by rule no later than January 1, 2012.

**Committee Amendment "A" (H-163)**

This amendment provides additional direction to the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control with regard to certification requirements and license fees. It delays the certification requirement for private applicators of general use pesticides for food production until April 1, 2015. It specifies that a person certified as a commercial applicator or private applicator of restricted use pesticides is not required to obtain additional certification to apply general use pesticides for food production.

**Enacted Law Summary**

Public Law 2011, chapter 169 requires the certification for private applicators of general use pesticides for food production beginning in April 1, 2015. A person certified as a commercial applicator or private applicator of restricted use pesticides is not required to obtain additional certification to apply general use pesticides for food production.

**LD 1041      An Act To Simplify and Enhance Pest Control Notification      ONTP**

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

LD 1041 amends the notification process for pesticides applications. The bill specifies that the registry established by the Department of Agriculture, Food and Rural Resources, Board of Pesticides Control is the only mandatory