

# 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***

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<br>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<br>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

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

notification system for outdoor applications. It requires all registrants to update or confirm their contact information annually. The bill amends notification requirements that currently apply to applications made using aircraft or air-carrier equipment to provide that the requirements apply to outdoor applications generally. It requires that the board determine the distances between properties and applications within which a land manager is required to notify a person whose property is on the registry of an application based on the type of equipment used to make the application.

See LD 228 for a summary of related legislation that was enacted.

**LD 1075      An Act To Prohibit Horse Slaughter for Human Consumption      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KNIGHT<br>SHERMAN | ONTP                    |                           |

LD 1075 prohibits the slaughter of horses for human consumption. It bans the possession, sale, purchase, transportation and import into or export out of this State of a horse if the person knows or should know that the horse is meant to be slaughtered for human consumption. It bans the possession, sale, purchase, transportation, import or export of horseflesh if the person knows or should know that the horseflesh is for human consumption.

**LD 1109      Resolve, To Target Job Creation in the Agricultural Sector To Improve      Carried Over  
the Stability and Economic Strength of Rural Maine**

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

LD 1109 requires the Department of Agriculture, Food and Rural Resources and the Department of Labor to invite the participation of a task force to develop strategies to identify barriers to and create job growth in the agricultural sector.

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

**LD 1120      An Act To Move the Land for Maine's Future Program to the      Carried Over  
Department of Agriculture, Food and Rural Resources**

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

LD 1120 transfers responsibility for and resources in support of the Land for Maine's Future Board and Land for Maine's Future Program from the Executive Department, State Planning Office to the Department of Agriculture, Food and Rural Resources.

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