

# 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***

**LD 1169 An Act To Require Timely Reporting of Dog Licensing**

**MAJ (ONTP)  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNIGHT MARTIN T	ONTP MAJ OTP MIN	

LD 1169 clarifies that the general penalty imposed for a violation of the dog licensing laws, a maximum fine of \$100, applies to a person who is in possession of a dog that has never been licensed, plus the applicable licensing fee and late fee. This bill also restores the municipal warrant process, which requires municipal officers to compile a list of owners or keepers of dogs that have been previously licensed but have not been licensed as of February 1st annually and further requires a law enforcement officer or animal control officer to serve those warrants on the owners of those dogs.

**LD 1184 An Act To Limit Liability of Apiary Owners and Operators**

**ONTP**

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

LD 1184 exempts the owner or operator of an apiary from liability for personal or property damage arising from the operation of that apiary as long as the apiary is licensed and is operated in good faith, in a reasonable manner and in conformance with best management practices, as determined by the Commissioner of Agriculture, Food and Rural Resources.

**LD 1249 An Act To Require the Land for Maine's Future Fund To Expend Funds for Deer Wintering Areas**

**ONTP**

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

LD 1249 requires 25% of the Land for Maine's Future Fund to be used for the purchase and maintenance of wintering areas for deer.

**LD 1258 An Act To Improve Land Use Planning and Permitting in Unorganized Territories**

**ONTP**

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

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

LD 1258 is a concept draft pursuant to Joint Rule 208. It proposes changes to the Maine Land Use Regulation Commission, "LURC." It provides for the appointment of an interim director of LURC to oversee reform of LURC for a term of one or 2 years.

The purpose, scope and duties of LURC would be amended to mirror land use governance in the organized areas of the State and to clearly state that the mission of LURC is to serve residents and property owners within the jurisdiction of LURC, promote local economies and service center communities near the jurisdiction and protect natural resources in the jurisdiction.

Forestry regulation would be assumed by the Maine Forest Service in the Department of Conservation. The Department of Environmental Protection would assume jurisdiction for all large commercial development projects.

Three regional planning and permitting commissions would be established based upon logical geographic and economic boundaries, preferably aligned with economic development districts. Each regional commission would be responsible for a regional comprehensive land use plan, zoning, permitting and compliance matters within its region. Residential subdivisions and small commercial development projects would be reviewed by the regional commissions.

The regional comprehensive land use plans, rules and zoning would require the approval of the joint standing committee of the Legislature having jurisdiction over land use matters or a joint select committee of the Legislature established to oversee regulation of unorganized and deorganized areas, plantations and towns in LURC's jurisdiction and adjacent service center communities.

See LD 1534 for a summary of related legislation that was enacted.

**LD 1309      **Resolve, To Encourage Reciprocity between Maine and New Hampshire  
in the Reporting of Rabies Vaccinations by Veterinarians****

**RESOLVE 64**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL	OTP-AM	S-141

LD 1309 directs the Commissioner of Agriculture, Food and Rural Resources to enter into a reciprocity agreement with the Commissioner of Agriculture, Markets and Food of New Hampshire to require a veterinarian from one state to send a rabies vaccination certificate to the department of agriculture in the other state if the veterinarian vaccinates against rabies a dog that is owned by a person living in the other state.

**Committee Amendment "A" (S-141)**

This amendment changes the requirements of the reciprocity agreement as stipulated in the resolve to give more flexibility in developing a reciprocity agreement that provides Maine and New Hampshire with information on dogs residing in their respective states that have been vaccinated by veterinarians in the other state.

**Enacted Law Summary**

Resolve 2011, chapter 64 directs the Commissioner of Agriculture, Food and Rural Resources to pursue a reciprocity agreement with the New Hampshire Commissioner of Agriculture, Markets and Food that provides each state with information on dogs residing in their respective states that have been vaccinated by veterinarians in the other state.