

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

July 2013

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STATE OF MAINE

126TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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 bill proposes to enact measures designed to:

1. Preserve the ability of local communities to produce, process, sell, purchase and consume local foods;
2. Ensure the preservation of family farms; and
3. Enhance the economic, environmental and social wealth of local communities by supporting family farms and sustainable agricultural practices and promoting the unimpeded ability of individuals, families and other entities to process or prepare foods for home consumption.

Committee Amendment "A" (H-155)

This amendment is the minority report of the committee. It replaces the concept draft. The amendment establishes the Maine Food Sovereignty Act of 2013 to encourage food self-sufficiency. The amendment states that the purposes of the Act are to preserve the ability of local communities to produce, process, sell and purchase locally produced foods, to ensure the preservation of family farms, to reduce hunger and increase food security and to enhance the economic, environmental and social wealth of rural communities. The amendment authorizes local governments to regulate food systems by local ordinance. The minority report was not adopted.

LD 476 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions ONTP

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

This resolve requires the Commissioner of Agriculture, Conservation and Forestry and the Commissioner of Environmental Protection to develop a comprehensive policy to reduce food waste in all state-funded buildings and institutions and to submit a report detailing the policy, together with any recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013. The committee may submit legislation to the Second Regular Session of the 126th Legislature to implement recommendations contained in the report.

LD 484 An Act To Revise the Animal Welfare Laws PUBLIC 115

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD BOYLE	OTP-AM ONTP	H-107

This bill makes several changes to the animal welfare laws. The bill includes small animals under the laws relating to animal shelters and animal control officers and provides guidelines for the disposition of small animals. The bill permits applicants for licenses as animal shelters and boarding kennels to receive conditional licenses to be able to begin operations pending completion of the full licensing process. The bill provides standards to permit the humane trapping of animals by animal control officers and clarifies that humane trapping of domestic animals for population control or animal control is excluded from the crime of cruelty to animals. The bill provides that laws relating to abandoned dogs apply to all abandoned animals excluding animals that are part of a population control program. The bill also adds dog licensing agents as license issuers and resolves a conflict regarding the distribution of licensing fees.

Committee Amendment "A" (H-107)

This amendment is the majority report of the committee. The amendment changes the definition of "population

Joint Standing Committee on Agriculture, Conservation and Forestry

control effort" by removing the provision of returning feral cats to the wild. The amendment also adds a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 115 makes several changes to the animal welfare laws. It includes small animals under the laws relating to animal shelters and animal control officers and provides guidelines for the disposition of small animals. Public Law 2013, chapter 115 permits applicants for licenses as animal shelters and boarding kennels to receive conditional licenses to be able to begin operations pending completion of the full licensing process. It provides standards to permit the humane trapping of animals by animal control officers and clarifies that humane trapping of domestic animals for population control or animal control is excluded from the crime of cruelty to animals. Public Law 2013, chapter 113 provides that laws relating to abandoned dogs apply to all abandoned animals excluding animals that are part of a population control program. It also adds dog licensing agents as license issuers and resolves a conflict regarding the distribution of licensing fees. Public Law 2013, chapter 115 changes the definition of "population control effort" by removing the provision of returning feral cats to the wild.

LD 493 An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land

DIED BETWEEN HOUSES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to increase economic development in Aroostook County by permitting expanded leasing or sale of state-owned property.

Committee Amendment "A" (S-86)

This amendment is the majority report. It replaces the bill with a resolve and changes the title. The resolve requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to convey to Roosevelt Conference Center, doing business as Eagle Lake Sporting Camps, a 10-acre parcel of land in Township 16, Range 6. The resolve requires the director to sell the land at fair market value and to retain or withhold any rights to subdivide. The director is also required by the resolve to convey to Eagle Lake Sporting Camps a right-of-way along the service road to the Square Lake Road for appraised fair market value. The resolve also stipulates that the State must retain a right of first refusal to reacquire the parcel and right-of-way from the owner if the use of the parcel for a year-round sporting camp or Class A restaurant and lodge is discontinued or appropriate licenses are not maintained. The majority report was not adopted.

Committee Amendment "B" (S-88)

This amendment is the minority report. It replaces the bill with a resolve and changes the title. The resolve requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to convey to Roosevelt Conference Center, doing business as Eagle Lake Sporting Camps, a 10-acre parcel of land in Township 16, Range 6. The resolve requires the director to sell the land at fair market value and to retain or withhold any rights to subdivide. The director is also required by the resolve to convey to Eagle Lake Sporting Camps an easement along the service road to the Square Lake Road for appraised fair market value. The resolve also stipulates that the State must retain a right of first refusal to reacquire the parcel and easement from the owner if the use of the parcel for a year-round sporting camp or Class A restaurant and lodge is discontinued or appropriate licenses are not maintained. The minority report was not adopted.