

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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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.

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nonvoting member of the board of directors.

5. It changes the process by which a board of county commissioners seeks and selects appointees to the Maine Land Use Planning Commission.

6. It provides that a person may not simultaneously serve as a county commissioner and a member of the Maine Land Use Planning Commission.

7. It clarifies that a vacancy in a seat on the Maine Land Use Planning Commission is filled by the same authority that appointed the member who vacated the seat.

8. Public Law 2013, chapter 256 also updates the filing of financial information for the Wells National Estuarine Research Reserve Management Authority.

LD 1009 An Act Concerning Fertilizer and Lime Products

**PUBLIC 204
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SHERMAN	OTP-AM	H-170 H-218 DILL

This bill adds the definitions of "biosolids," "packaged biosolids" and "unpackaged biosolids" to the Maine Commercial Fertilizer Law. The bill also amends the definition of "commercial fertilizer" to mean a substance containing one or more recognized fertilizer materials bearing a guaranteed analysis on the product label of a packaged product. The bill also exempts unpackaged biosolids and packaged biosolids derived primarily from residuals regulated by the Department of Environmental Protection from being registered before being offered for sale and from the tonnage report.

Committee Amendment "A" (H-170)

This amendment changes the bill to remove references to estimates and averages from the labeling requirements for packaged and unpackaged biosolids and unpackaged industrial byproducts derived primarily from residuals regulated by the Department of Environmental Protection and exempted from being registered as commercial fertilizers before being offered for sale and from the tonnage report. The amendment also requires that, if a fertilizer material percentage statement appears on a label or accompanying delivery documentation, that product must be registered as a fertilizer.

House Amendment "A" To Committee Amendment "A" (H-218)

This amendment clarifies that a product with a fertilizer percentage statement that appears on a label or accompanying delivery documentation must be registered as a fertilizer with the exception of those products for which delivery documentation is required by Department of Environmental Protection rule.

Enacted Law Summary

Public Law 2013, chapter 204 adds the definitions of "biosolids," "packaged biosolids" and "unpackaged biosolids" to the Maine Commercial Fertilizer Law. It also amends the definition of "commercial fertilizer" to mean a substance containing one or more recognized fertilizer materials bearing a guaranteed analysis on the product label of a packaged product. Public Law 2013, chapter 204 also exempts unpackaged biosolids and packaged biosolids derived primarily from residuals regulated by the Department of Environmental Protection from being registered before being offered for sale and from the tonnage report. It also requires that, if a fertilizer material percentage statement appears on a label or accompanying delivery documentation, that product must be registered as a fertilizer. Public Law 2013, chapter 204 clarifies that a product with a fertilizer percentage statement that appears on a label or accompanying delivery documentation must be registered as a fertilizer with the exception of those

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products for which delivery documentation is required by Department of Environmental Protection rule.

Public Law 2013, chapter 204 was enacted as an emergency measure effective June 5, 2013.

LD 1051 An Act To Clarify the Authority and Responsibility of Forest Rangers

PUBLIC 130

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE JACKSON T	OTP	

This bill incorporates into the Maine Revised Statutes, Title 12, chapter 807 the authority of forest rangers contained in Title 36, chapter 701 to make inspections, conduct investigations, make arrests and otherwise enforce that chapter, which relates to blueberries and blueberry taxes. It also clarifies the powers and duties of forest rangers regarding wildfires and agricultural and park fires, consistent with the current practice of forest rangers.

Enacted Law Summary

Public Law 2013, chapter 130 incorporates into the Maine Revised Statutes, Title 12, chapter 807 the authority of forest rangers contained in Title 36, chapter 701 to make inspections, conduct investigations, make arrests and otherwise enforce that chapter, which relates to blueberries and blueberry taxes. It also clarifies the powers and duties of forest rangers regarding wildfires and agricultural and park fires, consistent with the current practice of forest rangers.

LD 1170 Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville

ONTP

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve would, in accordance with the Constitution of Maine, Article IX, Section 23, require the State to convey title to an appropriate parcel of land in Greenville to the Save the Depot project for use as the future site of the historic Greenville Junction Railroad Depot.

LD 1239 An Act To Clarify, Streamline and Promote Fair Animal Welfare Laws

CARRIED OVER

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

This bill repeals the definition of "intermittent agent" in the animal welfare laws. It changes the definitions of "kennel," "boarding kennel" and "breeding kennel" to create 3 new kennel license designations: personal kennel license, commercial boarding or training kennel license and commercial breeder kennel license. It also defines serious bodily injury. The bill also makes the changes to the animal welfare laws necessary to reflect the changes made in the defined terms. It removes the provision of law that requires a person to obtain a vendor's license to sell a dog or cat.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B