

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<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 2013

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# STATE OF MAINE

126<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* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126<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 126<sup>th</sup> 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*

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

*Joint Standing Committee on Agriculture, Conservation and Forestry*

(H-580) and H-C (H-582).

**LD 1282 An Act To Help Small Farmers in Selling Raw Milk and Homemade Food Products**

**VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO KESCHL	OTP-AM ONTP	S-195 H-427 DILL

This bill exempts from state licensing and inspection requirements homestead food operations and raw milk producers who sell small quantities of certain food products or raw milk products made or produced at the person's residence or farm if the food products or raw milk products are sold directly from the person's home or farm or farm stand or at a farmers' market within the State.

**Committee Amendment "A" (S-195)**

This amendment is the majority report. It changes the title by removing a reference to homemade food products. It strikes from the bill the exemptions from licensing and inspection for homestead food operations. The amendment changes the wording of the signage and labeling requirements for milk producers selling raw milk or raw milk products without a license pursuant to the provisions of the bill. It requires milk producers selling raw milk or raw milk products that are exempt from licensing and inspection by the State to have samples of their raw milk and water supply tested by an accredited laboratory. The amendment also requires the Commissioner of Agriculture, Conservation and Forestry to adopt rules governing the testing of raw milk and water supply samples of the milk producers who operate under the exemptions in the bill.

The amendment also adds an appropriations and allocations section.

**House Amendment "A" To Committee Amendment "A" (H-427)**

This amendment corrects internal cross-references.

**LD 1283 An Act To Amend the Laws Governing Animal Trespass**

**PUBLIC 348**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-237

This bill amends the animal trespass law in the following ways:

1. It makes a 3rd or subsequent violation a Class E crime;
2. It makes the fine for a 2nd violation \$1,000;
3. It makes the fine for a 3rd or subsequent violation \$2,500;
4. It requires a repeat violator to pay the reasonable court costs and attorney's fees for the Department of Agriculture, Conservation and Forestry, municipality or law enforcement agency; and
5. It authorizes forfeiture of an animal of a repeat violator if the court finds that the repeat violation jeopardizes the public health, safety or welfare.