

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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 128th 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. An appendix provides a summary of relevant session statistics.

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 128th Legislature is Wednesday, November 1, 2017. 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

pest management activity log that is already required to be maintained constitutes additional expenditures from local revenue.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 175 An Act Regarding the Regulation of Rabbit Production for Local Consumption Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	ONTP OTP	

This bill permits a rabbit producer to sell rabbit products without inspection at the farm on which the rabbits were raised, at farmers' markets, by delivery to consumers' homes, to members of community-supported agriculture farms with which the rabbit producer has a direct marketing relationship, to locally owned grocery stores and to locally owned restaurants, as long as the farm slaughters fewer than 1,000 rabbits annually.

LD 244 An Act To Clarify the Use of State Lands Designated for Conservation or Recreation Purposes ONTP

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

This bill clarifies that, for the purposes of the Constitution of Maine, Article IX, Section 23, the use of designated lands for the mining of minerals constitutes a substantial alteration in use. Article IX, Section 23 provides that "state park land, public lots or other real estate held by the State for conservation or recreation purposes and designated by legislation implementing this section may not be reduced or its uses substantially altered except on the vote of 2/3 of all the members elected to each House."

LD 245 An Act To Repeal the Affirmative Defense for Cruelty to Animals ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARDONE B GRATWICK G	ONTP	

This bill repeals the provisions of law that establish an affirmative defense for certain violations under the animal welfare laws that the animal is kept as part of an agricultural operation and in compliance with best management practices for animal husbandry as determined by the Department of Agriculture, Conservation and Forestry.

LD 246 An Act To Provide for the Adoption of Cats and Dogs Previously Used for Research Purposes ONTP

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

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill requires research facilities that receive public funding to offer for adoption cats and dogs used for science, testing, education or research purposes when the cats and dogs are no longer needed for those purposes instead of euthanizing them. Adoption of the cats and dogs may be through an animal shelter, animal rescue organization or private placement.

LD 396 An Act To Prohibit the Use of Elephants in Traveling Animal Acts

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MONAGHAN K VITELLI E	ONTP OTP-AM	

This bill prohibits the use of elephants as performers in traveling animal acts, effective January 1, 2018.

Committee Amendment "A" (H-122)

This amendment replaces the bill and is the minority report of the committee. It prohibits the Commissioner of Inland Fisheries and Wildlife from issuing a permit to a person to import or possess an elephant in the State unless the elephant will be placed in a protective environment in which it will have the opportunity to behave as naturally as possible. A person importing or possessing an elephant may not allow the elephant to participate in any exhibition, public showing, presentation, display, exposition, fair, animal act, amusement show, circus, trade show, petting zoo, carnival, parade, race or similar undertaking in which the elephant is required to perform tricks, give rides or participate as accompaniment for the entertainment or amusement or for the benefit of an audience.

The amendment also provides an exception for elephant importations through January 1, 2020, for a person that imports an elephant to participate in a traveling circus to raise funds for a charity if that traveling circus lawfully operated in the State with an elephant to raise funds for a charity in 2016 and as long as the elephant is not permitted to remain in the State after January 1, 2020, unless it is in a protective environment in which it will have the opportunity to behave as naturally as possible.

This amendment was not adopted.

LD 414 An Act To Create the Maine Forest Resources Council

**Leave to Withdraw
Pursuant to Joint
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T CAMPBELL R		

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

This bill proposes to create the Maine Forest Resources Council.