

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<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**

August 2019

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# STATE OF MAINE

129<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 129<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. 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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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 changes the term in Maine law "industrial hemp" to "hemp" and defines "hemp" to match the definition of "hemp" in the federal Agriculture Improvement Act of 2018.

**LD 292      An Act To Feed Maine's Residents by Allowing Dairy Dealers and Producers in the State To Donate Fresh Milk to Food Banks in the State**

**PUBLIC 357**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT S BLACK R	OTP-AM OTP-AM	H-516

This bill exempts from the Maine Milk Commission's minimum price requirements donations of fresh milk by a dealer or producer-dealer to an incorporated nonprofit organization established for the purpose of reducing hunger and increasing food security.

**Committee Amendment "A" (H-516)**

This amendment, which is the majority report, strikes and replaces the bill. The amendment exempts from the Maine Milk Commission's minimum price requirements donations of fresh milk produced and processed within the State by a dealer or producer-dealer to an incorporated nonprofit organization in the State established for the purpose of reducing hunger and increasing food security. The amendment also provides that these donations may occur only if the fresh milk produced and processed within the State to be donated does not have a wholesale or retail market that will provide a higher monetary value to the dealer or producer-dealer.

**Committee Amendment "B" (H-517)**

This amendment, which is the minority report, strikes and replaces the bill. The amendment exempts from the Maine Milk Commission's minimum price requirements donations of fresh milk processed within the State by a dealer or producer-dealer to an incorporated nonprofit organization in the State established for the purpose of reducing hunger and increasing food security. The amendment also provides that these donations may occur only if the fresh milk processed within the State to be donated does not have a wholesale or retail market that will provide a higher monetary value to the dealer or producer-dealer.

This amendment was not adopted.

**Enacted Law Summary**

Public Law 2019, chapter 357 exempts from the Maine Milk Commission's minimum price requirements donations of fresh milk produced and processed within the State by a dealer or producer-dealer to an incorporated nonprofit organization in the State established for the purpose of reducing hunger and increasing food security. The law also provides that these donations may occur only if the fresh milk produced and processed within the State to be donated does not have a wholesale or retail market that will provide a higher monetary value to the dealer or producer-dealer.

**LD 333      An Act To Amend the Laws Governing Dangerous Dogs and Nuisance Dogs To Allow for Flexibility in Protection Dog Training**

**PUBLIC 95**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOLFIELD T BLACK R	OTP	

This bill repeals the law prohibiting a person from training or encouraging a dog that is not directly involved with a protection dog training program recognized by the Department of Public Safety, Bureau of State Police to be aggressive toward or attack another person or domesticated animal.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**Enacted Law Summary**

Public Law 2019, chapter 95 repeals the law prohibiting a person from training or encouraging a dog that is not directly involved with a protection dog training program recognized by the Department of Public Safety, Bureau of State Police to be aggressive toward or attack another person or domesticated animal.

**LD 351 An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry**

**PUBLIC 455**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLUECKER B BLACK R	OTP-AM OTP-AM	H-423

This bill provides that:

1. Poultry and poultry products sold or offered for sale may not be labeled with a certified "Maine" trademark or labeled or advertised as "Maine-raised" or by a similar designation unless the poultry was raised solely in the State from no later than the seventh day after hatching; and
2. Meat and meat products sold or offered for sale may not be labeled with a certified "Maine" trademark or labeled or advertised as "Maine-raised" or by a similar designation unless the animal was born in the State and raised solely in the State.

The bill also requires the Commissioner of Agriculture, Conservation and Forestry, under the Maine Revised Statutes, Title 22, chapter 562-A relating to preparation of livestock and poultry products for human consumption, to enforce the prohibition on labeling or advertising poultry, poultry products, meat and meat products sold or offered for sale as "Maine-raised" unless the requirements in this bill are met.

**Committee Amendment "A" (H-423)**

This amendment, which is the majority report, replaces the bill. It provides that poultry, poultry products, meat and meat products labeled or advertised as Maine-raised or by a similar designation are considered misbranded if offered for sale, sold or distributed within the State unless the poultry or animals were raised in Maine, as defined in the amendment. The Commissioner of Agriculture, Conservation and Forestry may grant a waiver of the determination that such poultry, poultry products, meat and meat products are misbranded upon consideration of economic factors, including, but not limited to, the proximity of processing facilities to the in-state poultry producer or meat producer and the availability of poultry processing facilities or meat processing facilities in the State.

**Committee Amendment "B" (H-424)**

This amendment, which is the minority report, replaces the bill. It provides that poultry, poultry products, meat and meat products labeled or advertised as Maine-raised or by a similar designation are considered misbranded if offered for sale, sold or distributed within the State unless the poultry or animals were raised in Maine. The Commissioner of Agriculture, Conservation and Forestry may grant a waiver of the determination that such poultry, poultry products, meat and meat products are misbranded upon consideration of economic factors, including, but not limited to, the proximity of processing facilities to the in-state poultry producer or meat producer and the availability of poultry processing facilities or meat processing facilities in the State.

The amendment provides that "raised in Maine" includes:

1. Poultry raised solely in the State from no later than the seventh day after hatching and processed solely in the State;