

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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

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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 129th 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 129th 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

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;

Joint Standing Committee on Agriculture, Conservation and Forestry

- 2. Cattle raised for at least 150 days in the State and processed solely in the State; and
- 3. Swine raised for at least 100 days in the State and processed solely in the State.

This amendment was not adopted.

Enacted Law Summary

Public Law 2019, chapter 455 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.

LD 355 An Act To Exclude Domesticated Species Used for Agricultural Purposes ONTP
from the Laws Governing Permits To Possess Wildlife in Captivity

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK R MARTIN D	ONTP	

This bill exempts wildlife that is domestically raised, hybridized or genetically altered and specifically used for farming or ranching or agritourism activity from the prohibition on keeping wildlife in captivity.

LD 445 An Act To Appropriate Funds to the Department of Agriculture, ONTP
Conservation and Forestry To Maintain All-terrain Vehicle Trails

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN D	ONTP	

This bill provides a one-time appropriation to the ATV Recreational Management Fund to make grants-in-aid to political subdivisions, educational institutions, regional planning agencies, all-terrain vehicle groups and others for the maintenance of all-terrain vehicle trails.

LD 446 An Act To Appropriate Funds to the Department of Agriculture, CARRIED OVER
Conservation and Forestry To Maintain Snowmobile Trails

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN D	OTP-AM	S-53

This bill provides a one-time appropriation to the Snowmobile Trail Fund to make grants-in-aid to political subdivisions, educational institutions, regional planning agencies, snowmobile groups and others for the maintenance of snowmobile trails.

Committee Amendment "A" (S-53)

This amendment incorporates a fiscal note.