

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

129TH 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 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

1322.

**LD 1273 An Act To Ensure Funding for Certain Essential Functions of the
University of Maine Cooperative Extension Pesticide Safety Education
Program**

PUBLIC 243

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK R DUNPHY M	OTP-AM	S-149

This bill requires that the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control award an annual grant of \$65,000 on or about April 1st to the University of Maine Cooperative Extension for the development and revision of training manuals for pesticide applicator certification, licensing and recertification.

Committee Amendment "A" (S-149)

This amendment clarifies that the grant awarded by the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to the University of Maine Cooperative Extension for the development and revision of training manuals for applicator certification, licensing and recertification may also be used to perform other aspects of pesticide education programs. The amendment clarifies that the amount of the annual grant is not less than \$65,000. The amendment also provides that the University of Maine Cooperative Extension may seek the advice of the Board of Pesticides Control in establishing pesticide education programs. The amendment requires the University of Maine Cooperative Extension to submit an annual report on the use of the funds, no later than January 15th, to the Board of Pesticides Control and the joint standing committee of the Legislature having jurisdiction over pesticide education and certification matters.

Enacted Law Summary

Public Law 2019, chapter 243 requires that the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control award an annual grant of not less than \$65,000 on or about April 1st to the University of Maine Cooperative Extension for the development and revision of training manuals for pesticide applicator certification, licensing and recertification.

The law clarifies that the grant awarded by the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to the University of Maine Cooperative Extension for the development and revision of training manuals for applicator certification, licensing and recertification may also be used to perform other aspects of pesticide education programs. The law also provides that the University of Maine Cooperative Extension may seek the advice of the Board of Pesticides Control in establishing pesticide education programs. The law requires the University of Maine Cooperative Extension to submit an annual report on the use of the funds, no later than January 15th, to the Board of Pesticides Control and the joint standing committee of the Legislature having jurisdiction over pesticide education and certification matters.

LD 1311 An Act Regarding the Sale of Dogs and Cats at Pet Shops

**HELD BY
GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B	ONTP OTP-AM	S-272

This bill prohibits a pet shop from selling dogs and cats and establishes a fine of \$500 per violation as well as license suspension or revocation. A pet shop may provide space to an animal rescue entity to offer to the public dogs and cats for adoption.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (S-272)

This amendment, which is the minority report of the committee, does the following.

1. It allows pet shops that are currently lawfully offering dogs or cats for sale to continue to offer dogs and cats for sale as long as the ownership of the pet shop does not change and the number of dogs and cats offered for sale does not increase. It allows for limited transfers of ownership of a family-owned pet shop to a spouse, domestic partner or child of the oldest member of the family having an ownership interest.
2. Removes from the definition of "animal rescue entity" the exclusions that allow for certain associations with breeders.
3. Removes the word "nominal" as a descriptor of the adoption fee that may be charged for dogs and cats offered for adoption by an animal rescue entity.

LD 1316 An Act To Make It Explicit That Maine Holds Title to Its Intertidal Lands ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS J DOW D	ONTP	

This bill states that the State owns title to intertidal land not already filled to facilitate marine commerce. The State's ownership is based on federal laws and United States Supreme Court cases that establish and substantiate each state's sovereignty over its intertidal and submerged land, as well as state law, which were not adhered to when the Supreme Judicial Court decided a pre-statehood colonial ordinance applicable to Massachusetts governs the State's ownership interest in intertidal land.

LD 1323 An Act To Revise the Laws Regarding the Public Trust in Intertidal Lands Accepted Minority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D EVANGELOS J	OTP-AM ONTP	

This bill addresses public uses of intertidal land by substantially amending the existing laws on intertidal land. It revises the headnote of the chapter to reflect the recognition of expanded uses of intertidal land.

The bill replaces most of the legislative findings and purpose language to recite historic uses and note that the evolving public uses of intertidal land confer both economic and general welfare benefits to the citizens of this State. It specifies that there is no difference in whether the State is acting to discharge its public trust duties with respect to intertidal land or exercising its police power to protect the public health, safety and general welfare.

The bill defines "intertidal land," which is consistent with the definition in statute, and "submerged land."

The bill delineates permitted uses of intertidal land, identifying historic, recreational and commercial uses. All are subject to state laws and rules, and commercial uses may be subject to licensing, as well.

The bill also limits some activities on intertidal land.