

# 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*

**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.