

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

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

November 2020

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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 Special and Second Regular Sessions 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 Special Session of the 129th Legislature is Monday, November 25, 2019 and for non-emergency legislation enacted in the Regular Session of the 129th Legislature, Tuesday, June 16, 2020. 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

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. It removes from the definition of "animal rescue entity" the exclusions that allow for certain associations with breeders; and

3. It 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.

Enacted Law Summary

Public Law 2019, chapter 544 prohibits a pet shop from selling dogs and cats and establishes a fine of \$500 per violation as well as license suspension or revocation. 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. A pet shop may provide space to an animal rescue entity to offer to the public dogs and cats for adoption.

LD 1518

An Act To Establish a Fund for Portions of the Operations and Outreach Activities of the University of Maine Cooperative Extension Diagnostic and Research Laboratory

PUBLIC 548

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S	OTP-AM ONTP	H-554

This bill establishes the Tick Laboratory and Pest Management Fund administered by the University of Maine Cooperative Extension to fund the tick laboratory and other pest management research and projects and directs the extension's pest management unit to study browntail moths as the first of a series of pest research projects to be determined every three years by a committee designated by the University of Maine. The fund is funded by a pesticide container fee of 20¢ per container administered by the State Tax Assessor. This bill also creates a duty of the Board of Pesticides Control to investigate complaints of violations of local, state and federal pesticide laws and requires the Board of Pesticides Control to review any request by a political subdivision to eliminate the use of a certain pesticide within that political subdivision.

Committee Amendment "A" (H-554)

The bill establishes the Tick Laboratory and Pest Management Fund. This amendment provides that the fund is administered by the University of Maine at Orono to fund the tick laboratory and other pest management research and projects. The amendment provides that a portion of the funds must be provided for ongoing reimbursement, up to \$60,000 annually, to the Board of Pesticides Control to generate and maintain a list of pesticides registered with the board and make available to the public through the board's publicly accessible website the list and answer inquiries relating to the list.

The amendment provides that a portion of the fund may be used by the University of Maine Cooperative Extension pest management unit for nonadministrative costs related to a tick laboratory, including, but not limited to: development of educational materials; equipment, materials and supplies; and facility expansion.

The amendment makes changes to the composition of the pest research committee as described in the bill.

Joint Standing Committee on Agriculture, Conservation and Forestry

The amendment removes from the bill the requirement that the Board of Pesticides Control investigate any complaint alleging a violation of a local, state or federal law or rule regarding pesticide use.

The amendment removes from the bill the requirement that a political subdivision of the State that wants to eliminate use in the political subdivision of a pesticide registered by the United States Environmental Protection Agency submit a request to eliminate use of that pesticide to the Board of Pesticides Control.

The amendment provides that the fund is funded by a pesticide container fee administered by the State Tax Assessor of 15¢ per container, rather than 20¢ as in the bill.

The amendment removes the provision of the bill that allows the State Tax Assessor to inspect the books or records of a retailer or to inspect the premises of a retailer where general use pesticides are stored, handled, transported or merchandised for the purpose of determining what pesticide products are taxable. The State Tax Assessor has the authority to inspect under current law pursuant to the Maine Revised Statutes, Title 36, section 112.

The amendment also provides a one-time allocation to the Department of Administrative and Financial Services, Maine Revenue Services for administrative costs associated with revision of the sales tax return to accommodate the pesticide container fee.

The amendment provides that the effective date of the legislation is January 1, 2020.

Enacted Law Summary

Public Law 2019, chapter 548 establishes the Tick Laboratory and Pest Management Fund. The law provides that the fund is administered by the University of Maine at Orono to fund the tick laboratory and other pest management research and projects. The law provides that a portion of the funds must be provided for ongoing reimbursement, up to \$60,000 annually, to the Board of Pesticides Control to generate and maintain a list of pesticides registered with the board and make available to the public through the board's publicly accessible website the list and answer inquiries relating to the list.

The law provides that a portion of the fund may be used by the University of Maine Cooperative Extension pest management unit for nonadministrative costs related to a tick laboratory, including, but not limited to: development of educational materials; equipment, materials and supplies; and facility expansion.

The law provides that the fund is funded by a pesticide container fee administered by the State Tax Assessor of 15¢ per container, rather than 20¢ as in the bill.

The law also provides a one-time allocation to the Department of Administrative and Financial Services, Maine Revenue Services for administrative costs associated with revision of the sales tax return to accommodate the pesticide container fee.

The effective date of Public Law 2019, chapter 548 is January 1, 2020.

**LD 1531 An Act To Establish the Maine Food System Investment Program To
Create Quality Jobs and Support Farms, Fisheries and Food-related
Businesses**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TALBOT ROSS R MOORE M		