

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

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

December 2021

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

**LD 95 RESOLUTION, Proposing an Amendment to the Constitution of Maine To
Establish a Right to Food**

ENACTED LAW SUMMARY

Constitutional Resolution 2021, chapter 1 proposes to amend Article 1 of the Constitution of Maine to add a new provision to provide that all individuals have a natural, inherent and unalienable right to food, including the right to save and exchange seeds and the right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and well-being, as long as an individual does not commit trespassing, theft, poaching or other abuses of private property rights, public lands or natural resources in the harvesting, production or acquisition of food.

Constitutional Resolution 2021, chapter 1 as finally passed by the Legislature is subject to ratification at a statewide election to be held in November of 2021.

LD 103 An Act To Improve the Animal Welfare Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 99 amends the laws pertaining to agriculture and animals.

1. The law allows the Commissioner of Agriculture, Conservation and Forestry to employ any person considered necessary to assist in any response to a natural or man-made disaster affecting animals both in the State and outside the State and provides for such a person's compensation. It also establishes reporting requirements regarding such a disaster response.
2. The law allows the Animal Welfare Advisory Council to have as a member a person who is a pet food supplier and an attorney with experience in the state court system and further provides that, if appointed, the attorney must have prosecutorial experience in the state court system.
3. The law changes the rabies vaccination requirement to provide that an owner or keeper of a dog over three months of age must have the dog vaccinated. The law also provides that the owner or keeper of a dog, within 30 days after the dog attains the age of three months, is required to have that dog vaccinated against rabies. Current law provides that an owner or keeper of a cat is exempt from the rabies vaccination requirement if a medical reason exists that precludes the vaccination of the cat. The law provides that an owner or keeper of a dog is also exempt from the rabies vaccination requirement if a medical reason exists that precludes the vaccination of the dog.
4. The law adds dangerous dogs and nuisance dogs to those animals that are excluded from obtaining dog licenses through the Internet licensing project.
5. The law provides for the revocation of animal control officer certification if the officer refuses or intentionally fails to perform the officer's statutory duties.

ENACTED LAW SUMMARIES

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6. The law amends animal welfare laws to define "animal care facility" and to provide that the definition of "boarding kennel" applies to all privately-owned animals that are kept for a fee.

LD 155 Resolve, Directing the Board of Pesticides Control To Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use

ENACTED LAW SUMMARY

Resolve 2021, chapter 33 directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to prohibit the use of any product containing certain neonicotinoids used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation. The law provides that products used for preserving wood, controlling or treating indoor pests, controlling or treating insects outside around structural foundations and other parts of structures, and treating pets are specifically exempt from the prohibition.

The law also requires the board to allow the use of certain neonicotinoids by certified applicators on ornamental vegetation to manage emerging invasive insect pests, including but not limited to the Asian long-horned beetle, emerald ash borer and hemlock wooly adelgid in order to safeguard the public health, safety and welfare of the State and to protect the natural resources of the State.

LD 204 An Act To Amend the Law Regarding the Interest Rate for State Loans under the Potato Marketing Improvement Fund

ENACTED LAW SUMMARY

Public Law 2021, chapter 31 changes the interest rate on loans made through the Potato Marketing Improvement Fund from a fixed rate of 5% to the federal prime rate on the date of loan commitment or up to a maximum of 5% and allows existing loans in good standing to be refinanced at the same rate.

Public Law 2021, chapter 31 was enacted as an emergency measure effective April 7, 2021.

LD 207 Resolve, Regarding Legislative Review of Portions of Chapter 1: Fee Schedule, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission

ENACTED LAW SUMMARY

Resolve 2021, chapter 10 authorizes final adoption of portions of Chapter 1: Fee Schedule, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission. The law also provides that the Maine Land Use Planning Commission must finally adopt rules no later than October 1, 2021.