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STATE OF MAINE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

**TO:** Margaret Rotundo, Senate Chair  
Jeremy Fischer, House Chair  
Joint Standing Committee on Appropriations & Financial Affairs

**FROM:** John M. Nutting, Senate Chair *J.M.N.*  
Wendy Pieh, House Chair *W.P.*  
Joint Standing Committee on Agriculture, Conservation and Forestry

**DATE:** April 10, 2008

**SUBJECT:** Appropriations Table

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**L.D. 2001 An Act to Reduce Wild Blueberry Theft** is on the Appropriations Table with a correctional and judicial impact statement. LD 2001 as amended has the unanimous support on the Joint Standing Committee on Agriculture, Conservation and Forestry. Many legislators joined blueberry producers to spoke in support of this bill, testifying as to the need for penalties that will deter blueberry theft. As the demand and price for wild Maine blueberries has increased, theft has also increased. The bill makes several changes to improve tracking and enhance enforcement. The committee believes that the proposed penalties are appropriate. Please note that the fiscal note states that the Judicial Department expects 0-1 cases every 5 years. **We respectfully ask that AFA consider the importance of this legislation and vote it off the table intact.**

**L.D. 2171 An Act To Amend the Animal Welfare Laws** is likely to be placed on the Appropriations Table because of the correctional and judicial impact statement. The Judicial Department anticipates 1 additional Class C crime of aggravated cruelty to animals each year due to language in Sec. 47 of the bill. Sec. 47 adds the phrase "with criminal negligence" to 17 MRSA §1031, sub-§1-B. **We respectfully ask that Sec. 47 be removed from the bill.** The impact of this change will be that certain crimes will continue to be prosecuted as a Class D crime of cruelty to animals.

Thank you for the opportunity to comment on these bills.

cc: Grant Pennoyer, Director, Office of Fiscal and Program Review  
Patrick T. Norton, Director, Office of Policy and Legal Analysis