

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1925

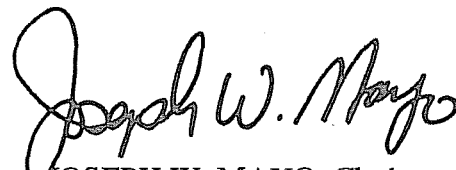
H.P. 1415

House of Representatives, February 23, 1994

An Act to Amend the Equine Licensing Laws.

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Agriculture suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative TARDY of Palmyra.
Cosponsored by Representative: SMALL of Bath, Senators: CAHILL of Sagadahoc, ESTY of Cumberland.

Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 7 MRSA §4102, sub-§§1 to 3, as enacted by PL 1991, c.
4 779, §41 and affected by §60, are amended to read:

6 1. **Certification.** A person who boards more than 2 equines
8 for payment or operates a commercial riding facility with more
10 than 2 equines ~~shall obtain a license~~ may apply for certification
12 from the department and receive a certificate upon completion of
14 the certification process. The ~~license~~ certificate expires
16 December 31st annually.

18 2. **Equine activity permits.** The department shall adopt
20 rules for issuing a permit to an equine activity sponsor when the
22 sponsor is not ~~licensed~~ certified under subsection 1.

24 3. **Certification and permit fees; criteria.** The department
26 shall ~~by rule~~ adopt rules to establish license certification fees
28 for boarding stables and commercial riding facilities and permit
fees for equine activities sufficient to generate \$5,000 in
revenue annually. A ~~license~~ certification or permit fee may not
exceed \$50. The department, in establishing consultation with
the Maine Equine Advisory Council, shall adopt rules to establish
fees and criteria for ~~licensing~~ certifying facilities and
permitting activities ~~shall consult with the Maine~~ Equine
Advisory Council. The criteria must include rules adopted by the
department to ensure the safety of a participant engaged in an
equine activity.

30 Sec. 2. 7 MRSA §4102, sub-§5 is enacted to read:

32 5. **Equine activity.** The department shall develop a plan to
34 organize and promote equine activity throughout the State and
shall adopt rules to implement the plan.

36 Sec. 3. 7 MRSA §4103, sub-§1, as enacted by PL 1991, c. 779,
38 §41 and affected by §60, is amended to read:

40 1. **Adherence to standards of care.** Adherence by an equine
42 activity sponsor or an equine professional with a valid ~~license~~
44 certificate or permit issued under section 4102 to the standards
of care within the profession creates a rebuttable presumption
that the conduct of the equine activity sponsor or equine
professional was not negligent.

46
48 **STATEMENT OF FACT**

50 This bill eliminates mandatory licensing of boarding stables
and commercial riding facilities. This bill directs the

2 Department of Agriculture, Food and Rural Resources to establish
3 fees and criteria for an optional certification procedure for
4 boarding stables and commercial riding facilities. This bill
5 also directs the department to develop a plan to organize and
6 promote equine activity throughout the State.

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12 This document has not yet been reviewed to determine the
13 need for cross-reference, stylistic and other technical
14 amendments to conform existing law to current drafting standards.