

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGRICULTURE

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
EMERSON	OTP-AM	H-1247 TARDY
TWITCHELL		H-1278 TARDY
NUTTING		S-639
SPEAR		S-647 TWITCHELL
		S-681 GAUVREAU
		S-685 VOSE
		S-783 BRANNIGAN

SUMMARY

Committee Amendment "A" (S-639) replaced the original bill. It abolishes the current 11-member Animal Welfare Board and establishes a 5-member Animal Welfare Board. The newly created board is responsible for investigating complaints of cruelty to pet animals and enforcing cruelty-to-animal laws with respect to pet animals. The Department of Agriculture, Food and Rural Resources is charged with carrying out the dog licensing laws and enforcing the cruelty-to-animal laws as they apply to all animals not within the definition of "pet animals." This amendment also establishes a 6-member Animal Welfare Advisory Committee to advise the Commissioner of Agriculture, Food and Rural Resources on animal welfare matters.

The amendment enacts a definition of "animal shelter," requires licensing of all animal shelters and clarifies the responsibilities of animal control shelters. Definitions of "breeding kennels," "boarding stables" and "commercial riding facilities" are enacted and licenses required. The department is charged with inspecting these facilities along with boarding kennels, pet shops and animal shelters.

This amendment requires cat owners to have their cats vaccinated against rabies and directs the department to assist in establishing low-cost antirabies clinics. The amendment provides for payment of various licensing fees into a dedicated revenue account, the Animal Welfare Fund. The amendment raises the late fee for licensing dogs from \$6 to \$10. It also raises license fees for pet shops, boarding kennels and kennels.

This amendment provides for training and certification of animal control officers. It enacts a chapter defining equine activities, provides for licensing of equine facilities and places limitations on civil liability for injuries resulting from equine activities.

This amendment repeals Public Law 1991, chapter 622, Part X, section 15 and Part FF, sections 1 to 17 and section 18, subsections 1 to 4. It provides for transfer of responsibilities from the former Animals Welfare Board to the newly created board and to the department.

The amendment also added a fiscal note to the bill.

Senate Amendment "A" (S-647) clarifies that sick, injured, abandoned or stray dogs may be brought to an animal control shelter.

Senate Amendment "D" (S-681) incorporated recommendations of the Joint Standing Committee on Judiciary regarding liability provisions of the new chapter on equine activities.

Senate Amendment "E" (S-685) amended the transition provision of the committee amendment to permit the most recently appointed humane society representative and the incumbent veterinarian to serve out the remainder of their terms as members of the Animal Welfare Board.

House Amendment "A" (H-1247) adds a provision to the bill that requires an equine professional to include a statement of the inherent risks of equine activities in any contract for goods or services.

House Amendment "B" (H-1278) requires animal control shelters to hold dogs at least 8 days before euthanasia unless a veterinarian authorizes euthanasia for medical reasons. The amendment allows the shelter to assume ownership of a dog for the purposes of adoption immediately upon determining that the dog is abandoned. The amendment also requires animal control shelters to establish and collect fees to offset the cost of keeping dogs beyond 6 days when the dog is reclaimed or adopted.

Senate Amendment "H" (S-783) delays the 1991-92 portion of the working capital advance until after July 1, 1993. It also adds a definition for "abandoned dog" and deletes a deappropriation in conflict with the budget bill.

LD 2044 An Act Concerning the Shared Use of Crop-handling Equipment LV/WD
by Seed Potato Growers

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MAHANY	LV/WD	

SUMMARY

This bill provided that if 2 or more seed potato growers shared crop-handling equipment and the seed potatoes of one grower were not certified because of the presence of pathogens, then the seed potatoes of the other growers could not be certified unless the equipment had been washed and disinfected under the supervision of a certified seed potato inspector.

LD 2066 An Act Concerning the Management of the Potato Marketing ONTP
Improvement Fund

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PINES LUDWIG	ONTP	

SUMMARY

This bill allowed Potato Marketing Improvement Fund borrowers to purchase their own mortgages at a discount. The bill addressed the concern that the Department of Agriculture, Food and Rural Resources might be unable to protect its interest in collateral at a foreclosure or other forced sale because of insufficient availability of funds. The bill allowed the Commissioner of Agriculture, Food and Rural Resources to sell enough of the loan portfolio to raise sufficient cash to address such an emergency.

LD 2087 An Act to Allow the State Harness Racing Commission to Adopt PUBLIC 677
a Controlled Medication Program EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TARDY	OTP-AM	H-950

SUMMARY

This bill authorizes the State Harness Racing Commission to adopt a controlled medication program that permits controlled medication to be administered to race horses. Committee Amendment "A" (H-950) corrected wording errors and added a fiscal note to the bill. See bill summary for LD 2186.