

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

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

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Agriculture, Conservation and Forestry

## LD 1157 Resolve, Directing the Department of Agriculture, Food and Rural Resources To Establish Rules Concerning Certified Organic Seed

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY	ONTP	

LD 1157 requires the Commissioner of Agriculture, Food and Rural Resources to establish rules for the registration and verification of seed labeled or sold as organic or grown as a crop to be certified as organic to ensure that the seed is free of genetically engineered materials. Rules established pursuant to this resolve are major substantive rules.

## LD 1185 An Act To Protect Dogs Tied Outside

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON ROTUNDO	ONTP	

LD 1185 amends the animal welfare laws to:

1. Prohibit the tethering, confining or restraining of a dog in a manner that causes pain, injury or entanglement;
2. Impose restrictions on the tethering of dogs of dogs and require that adequate shelter is provided.
3. Permit a state veterinarian, humane agent, animal control officer or law enforcement officer to issue a notice to comply or a correction warning to any owner or keeper who fails to comply with the animal welfare laws. If the violation endangers the health and safety of the dog or if the dog has been wounded as a result of the violation or if a prior warning has been issued, then the state veterinarian, humane agent, animal control officer or law enforcement officer shall proceed under the criminal provisions of the Maine Revised Statutes, Title 17, section 1021.

## LD 1293 An Act To Enhance Protection against Rabies in Wolf Hybrids

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLER	OTP-AM	H-141

LD 1293 clarifies that the primary responsibility for enforcement of statutory and regulatory provisions governing rabies protection in wolf hybrids rests with municipal animal control officers. It also clarifies that it is the responsibility of the municipal animal control officer, a local health officer or a law enforcement officer to euthanize for testing any wolf hybrid exposed to the rabies virus.

### Committee Amendment "A" (H-141)

This amendment clarifies that the provisions for removing or euthanizing an undomesticated animal or wolf hybrid suspected of having rabies apply when the animal has bitten someone or the animal may have otherwise exposed a person or domestic animal to rabies.

### Enacted Law Summary

## Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2007, chapter 133 clarifies that the primary responsibility for enforcement of statutory and regulatory provisions governing rabies protection in wolf hybrids rests with municipal animal control officers. It also clarifies that the provisions for removing or euthanizing an undomesticated animal or wolf hybrid suspected of having rabies apply when the animal has bitten someone or the animal may have otherwise exposed a person or domestic animal to rabies.

### LD 1296 An Act To Amend Certain Harness Racing Laws

**PUBLIC 244  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN	OTP-AM	H-320      PIEH

LD 1296 designates the crimes of drugging a horse and prearranging the results of any harness race as Class C crimes.

#### House Amendment "A" (H-320)

This amendment makes the bill an emergency, expands a headnote and clarifies a term.

#### Enacted Law Summary

Public Law 2007, chapter 244 designates the crimes of drugging a horse and prearranging the results of any harness race as Class C crimes.

Public Law 2007, chapter 244 was enacted as an emergency measure effective June 7, 2007.

### LD 1350 Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey Interests of the State in Land in Lincolnville

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	ONTP	

LD 1350 authorizes the transfer of certain public lands to the Town of Lincolnville.

### LD 1408 An Act Concerning Harness Racing Association Funding

**PUBLIC 211  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN	OTP-AM	H-243

LD 1408 authorizes the payment of up to 3% of funds designated for supplementing purses to be used to support a statewide association of horsemen authorized to negotiate on its members behalf.

#### Committee Amendment "A" (H-243)

This amendment adds an emergency preamble and clause and a retroactivity clause to the bill.

#### Enacted Law Summary

Public Law 2007, chapter 211 authorizes the payment of up to 3% of funds designated for supplementing purses to be used to support a statewide association of horsemen authorized to negotiate on its members behalf.