

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

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

May 2008

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

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

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Agriculture, Conservation and Forestry

removes the statutory caps on fines for violations of the harness racing statutes and rules. It clarifies that conducting a harness horse racing meet without a license is a Class D crime. It authorizes the State Police upon the request of the State Harness Racing Commission to assist in investigations following a positive test for use of substances in violation of the harness racing rules. It restricts licenses to operate slot machines to property within 200 feet of a commercial track, except that the 2,000-foot maximum distance continues for a commercial track that received an initial license for slot machines while owned by a municipality.

LD 2190 An Act To Designate Certain Rules Proposed by the Board of Pesticides Control as Major Substantive Rules

**PUBLIC 484
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2190 is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 7, section 610, subsection 5. It designates proposed rules that pertain to the use of organophosphate pesticides adjacent to occupied areas or distribution and use of plant-incorporated protectants as major substantive rules. It provides for rules pertaining to plant-incorporated protectants in effect on March 1, 2008 to remain in effect but designates amendments to those rules as major substantive rules.

Enacted Law Summary

Public Law 2007, chapter 484 designates proposed rules that pertain to the use of organophosphate pesticides adjacent to occupied areas or distribution and use of plant-incorporated protectants as major substantive rules. It provides for rules pertaining to plant-incorporated protectants in effect on March 1, 2008 to remain in effect but designates amendments to those rules as major substantive rules.

Public Law 2007, chapter 484 was enacted as an emergency measure effective February 28, 2008.

LD 2191 An Act To Designate Certain Application and Licensing Information Provided to the State Harness Racing Commission as Confidential

**PUBLIC 483
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2191 is the report of the Joint Standing Committee on Agriculture, Conservation and Forestry authorized by Resolve 2007, chapter 128 and submitted to implement a recommendation of the Commission to Study the Promotion, Expansion and Regulation of the Harness Racing Industry. It designates as confidential certain information provided to or developed by the State Harness Racing Commission as part of the application review process for issuing a commercial race track license. The bill cross-references the confidentiality provisions in the statutes governing the Gambling Control Board to specify the types of information and records that are confidential.

Enacted Law Summary

Public Law 2007, chapter 483 designates as confidential certain information provided to or developed by the State Harness Racing Commission as part of the application review process for issuing a commercial race track license.

Public Law 2007, chapter 483 was enacted as an emergency measure effective February 28, 2008.