

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

August 2015

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# STATE OF MAINE

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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER* ..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE* ..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT* ..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY* ..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

## *Joint Standing Committee on Agriculture, Conservation and Forestry*

This unanimous committee amendment:

1. Eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State;
2. Increases the per product commercial fertilizer registration fee by \$25;
3. Directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act; and
4. Requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill.

### **Enacted Law Summary**

Public Law 2015, chapter 191 eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State, increases the per product commercial fertilizer registration fee by \$25, directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act and requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill. It also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

**LD 991      An Act To Amend Maine's Genetically Modified Food Products Labeling Law      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M SAVIELLO		

This bill makes Maine's genetically modified food products labeling law effective. The bill accomplishes this result by repealing the delayed effective date in the law, which states that the effective date of the law occurs when mandatory labeling of genetically engineered food is adopted by at least five contiguous states including Maine, and by repealing the law's automatic repeal provision, which states the law is repealed if mandatory labeling of genetically engineered food is not adopted by at least five contiguous states including Maine by January 1, 2018.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1022      An Act To Protect the Future of Harness Racing      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN DIAMOND	OTP-AM	H-377

This bill removes the provision of law that terminates certain payments of net slot machine income to the Fund to Encourage Racing at Maine's Commercial Tracks when all commercial tracks have obtained a license to operate slot machines. The bill also provides that if a commercial track ceases operation and is not immediately replaced by a commercial track in the same region that is owned by the same owner as the commercial track that ceased operation, all amounts in the fund must be disbursed to the remaining commercial tracks and to agricultural fairs based on days raced during extended meets up to a maximum of 100 days raced during extended meets per year and until such time as a new commercial track begins operation. A commercial track or agricultural fair receives a payment per

*Joint Standing Committee on Agriculture, Conservation and Forestry*

race day equal to the quotient of the amount in the fund divided by 150. Any amount remaining in the fund after payments are made to commercial tracks and agricultural fairs must be transferred to the operating account of the Harness Racing Commission.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

**Committee Amendment "A" (H-377)**

This amendment adds a process whereby, in the event of a natural disaster, a commercial track may repair, rebuild or relocate at the discretion of the State Harness Racing Commission. During any time that is granted by the commission to a commercial track to repair, rebuild or relocate, the distribution formula provided in the bill for the distribution of funds from the Fund to Encourage Racing at Maine's Commercial Tracks in the event of a track closure applies.

**LD 1023 An Act To Revise the Animal Welfare Laws**

**PUBLIC 223**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN EDGECOMB P	OTP-AM	H-274

This bill amends the definition of "animal shelter" to include animal rescue and applies that expanded definition to the laws related to animal shelters. The bill repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19. The bill transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation, and Forestry to the person who seized the animals. The bill corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942. The bill provides that small animals can be euthanized if sick or injured. The bill repeals the conditional animal shelter license law that was enacted in 2013. The bill also clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

**Committee Amendment "A" (H-274)**

This committee amendment, which is the unanimous report of the committee, amends the definition of "animal shelter" to include rescue groups. The word "domesticated" is included in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions.

**Enacted Law Summary**

Public Law 2015, chapter 223 does the following:

1. Amends the definition of "animal shelter" to include rescue groups and includes the word "domesticated" in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions;
2. Repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19;
3. Transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation and Forestry to the person who seized the animals;
4. Corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine