

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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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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 127th 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<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; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation 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>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th 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

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

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Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942;

- 5. Provides that small animals can be euthanized if sick or injured;
- 6. Rpeals the conditional animal shelter license law that was enacted in 2013; and
- 7. Clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

LD 1024 An Act To Preserve Agricultural Fairs

Died Between Houses

Sponsor(s)
MAREAN
SAVIELLO

Committee Report

Amendments Adopted

This bill directs off-track betting facilities first licensed after January 1, 2015 to distribute funds at rates different from those distributed by off-track betting facilities first licensed before January 1, 2015. The bill allows owners of facilities licensed before January 1, 2015 to open new facilities. The bill also changes the market area regarding the location of an off-track betting facility from within 50 miles of the center of a racetrack betting facility to within 35 miles and repeals the law allowing licensees of off-track betting facilities that were licensed and open for business before April 1, 2000 and that have a market area with a population of less than 50,000 persons to distribute funds at a reduced rate.

This bill was not referred to a committee.

LD 1041 An Act To Restore Farmlands and Improve Watersheds

Died Between Houses

Sponsor(s)
JOHNSON
HICKMAN

Committee Report
OTP-AM
ONTP

Amendments Adopted

This bill establishes the Farmland Restoration Program, establishes a framework for the program, establishes the Farmland Restoration Fund and gives the Department of Agriculture, Conservation and Forestry authority to adopt rules to implement the program.

Committee Amendment "A" (S-128)

This amendment, which is the majority report, adds an appropriations and allocations section to the bill.

LD 1089 An Act To Amend the Laws Governing Agriculture by Expanding the Powers of the Commissioner of Agriculture, Conservation and Forestry

ONTP

Sponsor(s)
MCCABE

Committee Report
ONTP

Amendments Adopted

This bill authorizes the Commissioner of Agriculture, Conservation and Forestry to acquire, purchase and lease property for and on behalf of the State.