

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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128TH LEGISLATURE
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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 128th 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 128th Legislature is Wednesday, November 1, 2017. 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

3. Provides that the driver is responsible, along with the owner, for an animal's condition, including whether it has been administered a prohibited substance; and
4. Increases the penalties for a driver or owner found to be in violation of the laws governing prohibited substances in an animal competing in a pulling event from a full two-year suspension in the bill to two years for a first offense, three years for a second offense and five years for third and subsequent offenses.

Enacted Law Summary

Public Law 2017, chapter 207:

1. Adds to the law regarding pulling events the requirement that an animal entered in a pulling event must have either an ear tag or a microchip implant for identification purposes;
2. Removes references to trainers in regards to pulling events;
3. Adds a definition of "driver" to the laws governing agricultural fairs and pulling events and replaces the term "teamster" with "driver" in those laws;
4. Increases the penalties for a driver or owner found to be in violation of the laws governing prohibited substances in an animal competing in a pulling event to two years for a first offense, three years for a second offense and five years for third and subsequent offenses, and requires the Commissioner of Agriculture, Conservation and Forestry to impose a full one-year suspension from competition for the animal found to have a prohibited substance in its system at the time of the pulling event;
5. Allows a pull superintendent to visually examine an animal in an event and to request a veterinarian to undertake a more thorough examination when appropriate; and
6. Provides that the driver is responsible, along with the owner, for an animal's condition, including whether it has been administered a prohibited substance.

LD 549 An Act To Recognize Preexisting Land Uses

PUBLIC 89

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S	OTP-AM	H-167

This bill prohibits the Maine Land Use Planning Commission from requiring proof that preexisting, grandfathered nonconforming land uses were in legal existence for more than 20 years.

Committee Amendment "A" (H-167)

This amendment replaces the bill and provides that if a person demonstrates that a use or structure that does not conform with Maine Land Use Planning Commission district standards has existed for at least 30 years, there is a rebuttable presumption that the use or structure is a nonconforming use or nonconforming structure, which is a use or structure that lawfully existed when district regulations were adopted but that does not currently conform.

Enacted Law Summary

Public Law 2017, chapter 89 provides that if a person demonstrates that a use or structure that does not conform with Maine Land Use Planning Commission district standards has existed for at least 30 years, there is a rebuttable presumption that the use or structure is a nonconforming use or nonconforming structure, which is a use or structure that lawfully existed when district regulations were adopted but that does not currently conform.