

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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STATE OF MAINE

128TH LEGISLATURE
FIRST REGULAR SESSION



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

Committee Amendment "A" (H-379)

This amendment, which is the majority report of the committee, provides that the names of and identifying information about persons who have contracted with or been hired by an entity for the purpose of filming or recording business operations of another entity in order to provide information pertaining to criminal or civil cruelty to animals to the Department of Agriculture, Conservation and Forestry may not be made public unless the Commissioner of Agriculture, Conservation and Forestry determines that it is in the best interest of the public.

This amendment was not adopted.

LD 1508 An Act To Improve Animal Control in Maine

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN B	ONTP OTP-AM	

This bill establishes a cat license that is optional for cat owners. This bill also directs the Commissioner of Agriculture, Conservation and Forestry to develop strategies to encourage owners of dogs and cats to license their pets, including an advertising and public outreach campaign promoting licensure; offering incentives such as coupons and rewards cards donated by participating businesses; developing an exclusive logo or certificate that may be displayed by supporting businesses; and coordinating with municipalities and other entities authorized to license dogs and cats to disseminate information, notices and flyers promoting licensure.

Committee Amendment "A" (S-175)

This amendment is the minority report of the committee. It removes the optional cat licensing section, changes the bill to a resolve and retains the provision that directs the Commissioner of Agriculture, Conservation and Forestry to develop strategies to encourage owners of dogs to license their pets, including an advertising and public outreach campaign promoting licensure; offering incentives such as coupons and rewards cards donated by participating businesses; developing an exclusive logo or certificate that may be displayed by supporting businesses; and coordinating with municipalities and other entities authorized to license dogs to disseminate information, notices and flyers promoting licensure.

This amendment was not adopted.

LD 1532 An Act To Modernize the Laws Governing Maine Harness Racing

**PUBLIC 231
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN D	OTP-AM	H-478

This bill amends the laws governing harness racing to require meetings of the State Harness Racing Commission as necessary rather than monthly; authorize the commission to adopt rules providing for standards for licensure and conduct of presiding and associate judges; remove a provision directing the annual appointment of judges by the commission; modify budget requirements to account for current processes; eliminate the requirement for the State Harness Racing Commission to provide paper copies of law booklets to licensees; give the commission authority to request and audit financial records; clarify when purse money must be repaid to the commission for redistribution; place the establishment of minimum race date determinations under the purview of the commission; amend the definition of "commercial track" and "race date" and add a definition of "race day"; change the way disbursements

Joint Standing Committee on Agriculture, Conservation and Forestry

from the Fund to Encourage Racing at Maine's Commercial Tracks are calculated; authorize the commission to require that a biological sample, instead of a blood sample, of a horse be taken to test for prohibited substances; and reduce redundant reporting.

Committee Amendment "A" (H-478)

This amendment:

1. Adds an emergency preamble and emergency clause;
2. Clarifies and standardizes the reporting requirements of the State Harness Racing Commission;
3. Eliminates from the bill the proposed amendments to existing harness horse racing license fee provisions;
4. Provides that if the executive director of the State Harness Racing Commission or the commission determines that any of the criteria for race date awards have not been met by a licensee, the executive director must submit a notice of the deficiency to the licensee, regardless of whether the deficiency resulted in the denial of the application for or the refusal to award race dates. A copy of this notice must also be submitted at the same time to the joint standing committee of the Legislature having jurisdiction over agriculture matters;
5. Clarifies the rule-making authority of the State Harness Racing Commission regarding oversight and allocation of trust account funds; and
6. Removes the commission's rule-making authority in the bill to establish standards for the use of the Fund to Encourage Racing at Maine's Commercial Tracks.

Enacted Law Summary

Public Law 2017, chapter 231 does the following:

1. Amends the laws governing harness racing to require meetings of the State Harness Racing Commission as necessary rather than monthly;
2. Authorizes the commission to adopt rules providing for standards for licensure and conduct of presiding and associate judges;
3. Removes a provision directing the annual appointment of judges by the commission;
4. Modifies budget requirements to account for current processes;
5. Eliminates the requirement for the State Harness Racing Commission to provide paper copies of law booklets to licensees;
6. Gives the commission authority to request and audit financial records;
7. Clarifies when purse money must be repaid to the commission for redistribution;
8. Places the establishment of minimum race date determinations under the purview of the commission;
9. Amends the definition of "commercial track" and "race date" and add a definition of "race day;"
10. Changes the way disbursements from the Fund to Encourage Racing at Maine's Commercial Tracks are calculated;

Joint Standing Committee on Agriculture, Conservation and Forestry

- 11. Authorizes the commission to require that a biological sample, instead of a blood sample, of a horse be taken to test for prohibited substances;
- 12. Reduces redundant reporting;
- 13. Provides that if the executive director of the State Harness Racing Commission or the commission determines that any of the criteria for race date awards have not been met by a licensee, the executive director must submit a notice of the deficiency to the licensee, regardless of whether the deficiency resulted in the denial of the application for or the refusal to award race dates. A copy of this notice must also be submitted at the same time to the joint standing committee of the Legislature having jurisdiction over agriculture matters; and
- 14. Clarifies the rule-making authority of the State Harness Racing Commission regarding oversight and allocation of trust account funds.

Public Law 2017, chapter 231 was enacted as an emergency measure effective June 19, 2017.

LD 1574 Resolve, To Require Greater Clearing of Vegetation along Portions of CARRIED OVER
Route 161 in the Town of Allagash

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J		

This resolve directs the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to contract with third parties to cut back vegetation 20 feet from the edges of portions of Route 161 in the Town of Allagash.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 1579 An Act To Amend and Add Consistency to the Maine Weights and PUBLIC 172
Measures Law

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY M	OTP-AM	H-392

This bill requires compliance testing of the net contents of packaged goods to meet the specifications set by the National Conference on Weights and Measures.

This bill reinstates the authority of municipalities to appoint local sealers of weights and measures if they choose to do so. Municipalities may use the state weights and measures program if they opt not to appoint a local sealer.

Committee Amendment "A" (H-392)

This amendment does the following:

- 1. Removes the provisions that impose a \$10 fine on municipal officers and clerks who neglect their duties with respect to sealers of weights and measures appointed or elected by those municipal officers; and
- 2. Clarifies that if a municipality chooses not to take advantage of the option to appoint or elect a sealer, or fails to provide notice to the state sealer of such an appointment or election, the state sealer retains jurisdiction and may appoint qualified persons to carry out the state sealer's responsibilities in those municipalities.