

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH 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 126th 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. 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 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 126th Legislature is October 9, 2013. 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

**LD 2 Resolve, Regarding Legislative Review of Portions of Chapter 252:
Rules Governing Certification of Seed Potatoes in the State of Maine, a
Major Substantive Rule of the Department of Agriculture, Conservation
and Forestry**

**RESOLVE 2
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a major substantive rule of the Department of Agriculture, Conservation and Forestry.

Enacted Law Summary

Resolve 2013, chapter 2 adopts portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a major substantive rule of the Department of Agriculture, Conservation and Forestry. The rules adopted pursuant to this resolve modify the setting of fees associated with the certification of seed potatoes in Maine. The fees established pursuant to the rules adopted under the resolve relate to the program's field and shipping point inspections. The rules adopted under the resolve also change the designation of the propagation of certified and foundation seed potatoes from a Nuclear and General Year System to a Field Year System.

Resolve 2013, chapter 2 was enacted as an emergency measure effective March 20, 2013.

LD 5 An Act To Make Changes to the Potato Marketing Improvement Fund

PUBLIC 403

Sponsor(s)

Committee Report

Amendments Adopted

WILLETTE
JACKSON T

OTP-AM

H-198
S-330 HILL

This bill changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board. This bill requires the Maine Potato Board to establish the Potato Marketing Improvement Fund Committee to advise the board.

Committee Amendment "A" (H-198)

This amendment strikes and replaces the bill. The amendment, like the bill, changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board.

The bill requires the board to establish the Potato Marketing Improvement Fund Committee to advise the board. The amendment instead establishes the Potato Marketing Improvement Fund Committee in statute and changes the membership of the committee. The amendment authorizes the Finance Authority of Maine, at the discretion of the Commissioner of Agriculture, Conservation and Forestry, to make payments to the board from the fund to carry out the purposes of the fund.

The amendment also requires the authority to provide written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters regarding the payments.

The amendment also adds an appropriations and allocations section.

Joint Standing Committee on Agriculture, Conservation and Forestry

Senate Amendment "A" To Committee Amendment "A" (S-330)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 403 changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board. It establishes the Potato Marketing Improvement Fund Committee in statute and changes the membership of the committee. Public Law 2013, chapter 403 authorizes the Finance Authority of Maine, at the discretion of the Commissioner of Agriculture, Conservation and Forestry, to make payments to the board from the fund to carry out the purposes of the fund. It also requires the authority to provide written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters regarding the payments.

LD 33 Resolve, Regarding Pesticide Applications and Public Notification in Schools

RESOLVE 63 EMERGENCY

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-308

This resolve provides for legislative review of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Committee Amendment "A" (H-308)

This amendment changes the title of the resolve. The amendment provides for legislative review of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

The amendments to Chapter 27 prescribe standards intended to ensure that pests are managed in a manner that minimizes risks to students and staff, relying on widely accepted science of integrated pest management. The amendments to the rules require school staff and contractors to choose the lowest-risk strategies for managing pests.

The proposed rules also strengthen the role of the Integrated Pest Management coordinator in each school, establish training requirements for the coordinator, and reduce the burden of record-keeping while making records easier to access.

The amendment also adds a section to the resolve that requires that, by March 15, 2014, the Commissioner of Education and the director of the Board of Pesticides Control report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry on developing standards and guidelines for landscaping design for school grounds that will minimize or eliminate the need to use pesticides on school grounds for any newly constructed school facilities.

Enacted Law Summary

Resolve 2013, chapter 63 adopts amendments to portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule. Resolve 2013, chapter 63 adopts amendments to Chapter 27 that prescribe standards intended to ensure that pests are managed in a manner that minimizes risks to students and staff. The amendments to the rules require school staff and contractors to choose the lowest-risk strategies for managing pests. The amended rules also strengthen the role of the Integrated Pest Management coordinator in each school, establish training requirements for the coordinator, and reduce the burden of record keeping while making records easier to access.