

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 288 An Act Concerning Brucellosis Vaccines for Cattle

PUBLIC 17

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY JACKSON T	OTP	

Current law refers to a federal brucellosis classification that will be revised in 2014. This bill removes reference to Class A and B and refers to 9 Code of Federal Regulations, Part 78 as the means for allowing brucellosis-free cattle to be brought into the State, to prevent the necessity of revision in the near future. The bill removes the requirements that the Department of Agriculture, Conservation and Forestry maintain inventory of and distribute brucellosis vaccine to accredited veterinarians and establish fees to cover associated costs.

Enacted Law Summary

Public Law 2013, chapter 17 amends current law that refers to a federal brucellosis classification that will be revised in 2014, by removing reference to Class A and B and refers to 9 Code of Federal Regulations, Part 78 as the means for allowing brucellosis-free cattle to be brought into the State, to prevent the necessity of revision in the near future.

Public Law 2013, chapter 17 removes the requirements that the Department of Agriculture, Conservation and Forestry maintain inventory of and distribute brucellosis vaccine to accredited veterinarians and establish fees to cover associated costs.

**LD 289 An Act To Eliminate the Requirement That the Department of
Agriculture, Conservation and Forestry Provide Technical Services for
Direct-marketing Agricultural Products**

PUBLIC 65

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY BOYLE	OTP-AM	H-40

This bill removes the provision in the laws regarding the agriculture direct-marketing assistance program that requires the Department of Agriculture, Conservation and Forestry to provide technical assistance for lease and contract negotiation.

Committee Amendment "A" (H-40)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It removes from the laws regarding the direct-marketing of agricultural commodities references to the University of Maine System and the College of Agriculture as sources of assistance to which the Commissioner of Agriculture, Conservation and Forestry may refer farmers or groups of farmers seeking marketing assistance. It also updates the name of the College of Agriculture of the University of Maine System to the College of Natural Sciences, Forestry and Agriculture of the University of Maine throughout the Maine Revised Statutes.

Enacted Law Summary

Public Law 2013, chapter 65 removes the provision in the laws regarding the agriculture direct-marketing assistance program that requires the Department of Agriculture, Conservation and Forestry to provide technical assistance for lease and contract negotiation. It removes from the laws regarding the direct-marketing of agricultural commodities references to the University of Maine System and the College of Agriculture as sources of assistance to which the Commissioner of Agriculture, Conservation and Forestry may refer farmers or groups of farmers seeking marketing

Joint Standing Committee on Agriculture, Conservation and Forestry

assistance. Public Law 2013, chapter 65 also updates the name of the College of Agriculture of the University of Maine System to the College of Natural Sciences, Forestry and Agriculture of the University of Maine throughout the Maine Revised Statutes.

LD 290 An Act To Eliminate the Forest Certification Incentive Cost-share Fund PUBLIC 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL SHERMAN	OTP	

This bill eliminates the Forest Certification Incentive Cost-share Fund, a program that has no funding and that has never been used.

Enacted Law Summary

Public Law 2013, chapter 11 eliminates the Forest Certification Incentive Cost-share Fund, a program that has no funding and that has never been used.

LD 291 An Act To Transfer Responsibility for the Returnable Beverage Container Laws from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER	ONTP	

This bill proposes to transfer administration of the provisions regarding returnable beverage containers from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection. Although the committee voted unanimously "ought-not-to-pass" on the bill, it authorized the committee co-chairs to send a letter to the Commissioner of Agriculture, Conservation and Forestry and to the Commissioner of Environmental Protection requesting that the commissioners discuss the changes proposed in LD 291 to determine if the proposed transfer of responsibility for the bottle bill from one department to the other is merited or feasible. The committee requested a report from the commissioners on the results of their discussions by December 15, 2013.

LD 292 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Plan for the Protection of the Public Health from Mosquito-borne Diseases RESOLVE 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD SHERMAN	OTP-AM	H-54

This bill authorizes the Department of Agriculture, Conservation and Forestry to conduct appropriate mosquito-control activities in response to mosquito-borne disease public health threats. In addition, the bill authorizes municipalities to cooperate in controlling mosquitoes through the formation of mosquito-control districts. It establishes the Maine Mosquito Control Fund to provide funding for mosquito-control activities. Finally, the bill authorizes the Commissioner of Health and Human Services to declare a mosquito-borne disease public health threat.

Committee Amendment "A" (H-54)