

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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

126<sup>TH</sup> 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 126<sup>th</sup> 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 126<sup>th</sup> 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 421**

**An Act To Prohibit the Unauthorized Harvesting of Wild Mushrooms and Fiddleheads**

**ACCEPTED  
MAJORITY  
(ONTP) REPORT**

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

The purpose of this bill is to protect woodland owners by requiring anyone harvesting wild mushrooms or fiddleheads commercially to have written permission or a bill of sale from the landowner before harvesting or transporting. The permission requirements and enforcement provisions of this bill are the same as currently exist in Maine law for commercial harvesting of Christmas trees and boughs for wreaths. The bill also authorizes the Department of Health and Human Services to decline to certify or revoke the certification under the Maine Wild Mushroom Harvesting Certification Program of any person found in violation of the prohibition.

**Committee Amendment "A" (H-351)**

This amendment is the minority report. It removes fiddleheads from the title of the bill. The amendment deletes from the bill prohibitions against commercially harvesting fiddleheads without written permission or a bill of sale from the landowner. The amendment also deletes from the bill the definition of "fiddlehead." The minority amendment was not adopted.

**LD 457**

**An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry**

**PUBLIC 37**

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

This bill eliminates a requirement that the Department of Agriculture, Conservation and Forestry, Division of Forestry monitor the implementation of recommendations it makes regarding forest insects and diseases to individuals and municipalities as part of the forest health and monitoring program.

**Enacted Law Summary**

Public Law of 2013, chapter 37 eliminates a requirement that the Department of Agriculture, Conservation and Forestry, Division of Forestry monitor the implementation of recommendations it makes regarding forest insects and diseases to individuals and municipalities as part of the forest health and monitoring program.

**LD 475**

**An Act To Increase Food Sovereignty in Local Communities**

**ACCEPTED  
MAJORITY  
(ONTP) REPORT**

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

This bill is a concept draft pursuant to Joint Rule 208.