

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

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 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 500 An Act To Permit Tribal Members To Have Access to Wood Fiber for
Fuel, Shelter and Traditional Woodcraft Production**

CARRIED OVER

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

This bill allows any member of the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, the Penobscot Nation or the Aroostook Band of Micmacs to enter and collect or harvest wood or wood fiber from any public or publicly controlled or managed property in the State for the purpose of using the wood or wood fiber for fuel, personal shelter construction or traditional woodcraft production.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

**LD 505 Resolve, Directing the Commissioner of Agriculture, Conservation and
Forestry To Conduct an Internal Review of the Snowmobile Trail Fund**

**RESOLVE 48
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO LONG	OTP-AM	S-102

This resolve directs the Commissioner of Agriculture, Conservation and Forestry to conduct a review of aspects of expenditures from the Snowmobile Trail Fund that relate to the justification of certain expenditures from that fund, equity in the use of those funds in allocations to municipalities and local snowmobile clubs, equity in the cost sharing of funds between the Snowmobile Trail Fund and the ATV Recreational Management Fund with respect to state-owned rail trails, the elimination of state-administered snowmobile trail grooming projects and the implementation of regular reporting requirements and written policies to ensure equity in the use of funds in the Snowmobile Trail Fund.

In conducting this review, the commissioner is directed to consult with representatives of statewide snowmobiling organizations, municipalities and local snowmobile clubs and other appropriate stakeholder groups and to submit a report by December 4, 2013 to the Joint Standing Committee on Agriculture, Conservation and Forestry. Following its review of the commissioner's report, the committee may submit a bill to the Second Regular Session of the 126th Legislature to implement any mandatory reporting requirements or to authorize the adoption by the commissioner of any rules necessary to implement the commissioner's recommendations.

Committee Amendment "A" (S-102)

This amendment changes the duties of the Commissioner of Agriculture, Conservation and Forestry regarding the internal review of the Snowmobile Trail Fund required by the resolve. The amendment requires that the review include a written explanation of reasons funds are carried forward from one fiscal year to the next. It requires the development of a quarterly reporting system detailing the revenue to and expenditures from the fund, and a recommendation that reports be submitted quarterly to interested parties. The amendment requires the commissioner to develop an annual report on the finances and operations of the fund for submission to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. It also requires development of a written policy for distributing funds from the Snowmobile Trail Fund. The amendment requires the department to develop an educational program for grantees and to develop a plan to eliminate state-administered trail-grooming projects.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2013, chapter 48 directs the Commissioner of Agriculture, Conservation and Forestry to conduct a review of aspects of expenditures from the Snowmobile Trail Fund. Resolve 2013, chapter 48 requires that the review include a written explanation of reasons funds are carried forward from one fiscal year to the next. It requires the development of a quarterly reporting system detailing the revenue to and expenditures from the fund, and a recommendation that reports be submitted quarterly to interested parties. Resolve 2013, chapter 48 requires the commissioner to develop an annual report on the finances and operations of the fund for submission to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. It also requires development of a written policy for distributing funds from the Snowmobile Trail Fund. The resolve also requires the department to develop an educational program for grantees and to develop a plan to eliminate state-administered trail-grooming projects.

Resolve 2013, chapter 48 was finally passed as an emergency measure effective June 11, 2013.

**LD 524 An Act To Change the Quorum Requirement for Meetings of the Land
for Maine's Future Board**

PUBLIC 92

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW SAVIELLO	OTP-AM	H-59

This bill increases the membership of the Land for Maine's Future Board from 9 members to 11 members.

Committee Amendment "A" (H-59)

This amendment strikes and replaces the bill and changes the title. The amendment reduces the quorum requirement to transact business by the Land for Maine's Future Board from 7 to 5 members.

Enacted Law Summary

Public Law 2013, chapter 92 reduces the quorum requirement to transact business by the Land for Maine's Future Board from 7 to 5 members.

LD 525 An Act To Promote Industrial Hemp

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL PLUMMER	OTP-AM ONTP	H-406

This bill removes the requirements that an applicant for an initial license to grow industrial hemp for commercial purposes must submit a set of the applicant's fingerprints and file with the Commissioner of Agriculture, Conservation and Forestry documentation indicating that the seeds planted were a type and variety of hemp approved by the commissioner and also repeals the provision that licensure is contingent upon action by the Federal Government.

Committee Amendment "A" (H-406)

This amendment is the majority report. It requires that any hemp seeds acquired for cultivation of hemp in the State come from an approved Canadian producer of hemp seeds. The amendment allows the Commissioner of Agriculture, Conservation and Forestry to issue licenses for hemp seed distribution to holders of seed labeling licenses. The amendment also allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a state-licensed hemp seed distributor. The amendment requires that application fees