

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

and license fees are established by major substantive rules. The amendment adds an appropriations and allocations section to the bill.

**LD 622 An Act To Amend the Laws Concerning Reciprocal Disciplinary
Actions in Harness Racing and Pulling Events**

**PUBLIC 155
EMERGENCY**

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

This bill requires the Department of Agriculture, Conservation and Forestry to obtain current listings from other jurisdictions of people who have been suspended or barred from agricultural pulling competitions and requires the department to suspend or bar from pulling competitions any person in those listings until the department receives notification from the jurisdiction that suspended or barred the person that the person is no longer suspended or barred. This bill also amends the reciprocal disciplinary action provision in harness racing for people in the harness racing industry who have been refused a license or have had their licenses suspended or revoked in another jurisdiction by clarifying certain language in that provision.

Enacted Law Summary

Public Law 2013, chapter 155 requires the Department of Agriculture, Conservation and Forestry to obtain current listings from other jurisdictions of people who have been suspended or barred from agricultural pulling competitions and requires the department to suspend or bar from pulling competitions any person in those listings until the department receives notification from the jurisdiction that suspended or barred the person that the person is no longer suspended or barred. Public Law 2013, chapter 155 also amends the reciprocal disciplinary action provision in harness racing for people in the harness racing industry who have been refused a license or have had their licenses suspended or revoked in another jurisdiction by clarifying certain language in that provision.

Public Law 2013, chapter 155 was enacted as an emergency measure effective May 29, 2013.

**LD 630 An Act To Reserve Ten Percent of Campsites at State Parks for Maine
Residents**

ONTP

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

This bill requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to amend the current statewide reservation system for overnight camping at state parks with overnight camping facilities to set aside 10% of campsites for use by Maine residents. These reservations must be accepted on a first-come, first-served basis and may be made up to 4 months in advance of each camping season. The bill also includes a definition of "resident."

**LD 639 An Act To Require Payment Quotes in Service Contracts for the
Harvesting and Hauling of Wood**

PUBLIC 154

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM	S-50

This bill proposes that contractors hired to harvest or haul wood be notified by the contracting party of the price per ton to be paid for the wood harvested or hauled under a service contract prior to the contractor's providing the

Joint Standing Committee on Agriculture, Conservation and Forestry

services.

Committee Amendment "A" (S-50)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. The amendment removes a requirement that the contracting party provide a per species price when notifying a contractor of the price to be paid under a service contract for harvesting or hauling wood. It also specifies that price notification must be in writing and that price notification may be communicated by mail or private courier or electronically.

Enacted Law Summary

Public Law 2013, chapter 154 proposes that contractors hired to harvest or haul wood be notified by the contracting party of the price per ton to be paid for the wood harvested or hauled under a service contract prior to the contractor's providing the services. It also specifies that price notification must be in writing and that price notification may be communicated by mail or private courier or electronically.

LD 657 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Review, Clarify and Update Its Rules Pertaining to the Maple Syrup Industry

RESOLVE 30

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SHERMAN	OTP-AM	H-106

This resolve directs the Department of Agriculture, Conservation and Forestry to review, clarify and update its rules relating to the licensing of maple syrup processors.

Committee Amendment "A" (H-106)

This amendment requires the Commissioner of Agriculture, Conservation and Forestry to report on the results of the Department of Agriculture, Conservation and Forestry's review of rules relating to the licensing of maple syrup processors to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

Enacted Law Summary

Resolve 2013, chapter 30 directs the Department of Agriculture, Conservation and Forestry to review, clarify and update its rules relating to the licensing of maple syrup processors. It also requires the Commissioner of Agriculture, Conservation and Forestry to report on the results of the Department of Agriculture, Conservation and Forestry's review of rules relating to the licensing of maple syrup processors to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

LD 658 An Act To Change the Grade Standards of the Maine Maple Syrup Industry

PUBLIC 117

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	OTP	

This bill replaces the existing maple syrup grading system for the State with a new grading system that has been proposed by the International Maple Syrup Institute. It proposes a uniform grade of maple syrup: Grade A for maple syrup sold at retail. The bill takes effect only upon adoption of the new grading system by the United States Department of Agriculture and the Canadian federal government and notice of those actions being provided by the Commissioner of Agriculture, Conservation and Forestry to the Secretary of State, the Secretary of the Senate, the