

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

CHRISTOPHER J. SPRUCE, LEGISLATIVE
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

MEMBERS:

SEN. TROY D. JACKSON, CHAIR
SEN. JAMES A. BOYLE
SEN. ROGER L. SHERMAN

REP. JAMES F. DILL, CHAIR
REP. PETER S. KENT
REP. CRAIG V. HICKMAN
REP. BRIAN L. JONES
REP. WILLIAM F. NOON
REP. ROBERT J. SAUCIER
REP. DEAN A. CRAY
REP. DONALD G. MAREAN
REP. RUSSELL J. BLACK
REP. JEFFREY L. TIMBERLAKE

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

Clerk of the House of Representatives and the Revisor of Statutes.

Enacted Law Summary

Public Law 2013, chapter 117 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. Public Law 2013, chapter 117 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 Clerk of the House of Representatives and the Revisor of Statutes.

LD 707 An Act To Refund the Sales Tax Paid on Fuel Used in Commercial CARRIED OVER
Agricultural Production

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

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

This bill proposes to limit hauling costs of milk by a milk transportation company for a dairy farmer to the mileage between the dairy farm and the nearest milk plant still operating in the State, regardless of the final disposition of the milk.

Committee Amendment "A" (S-168)

This amendment requires the refund of sales tax on purchases of fuel for use in commercial agricultural production and permits the issuance of a certificate permitting the purchases of such fuel without paying sales tax if the purchaser obtains a certificate verifying eligibility from the State Tax Assessor. The amendment provides an application date of October 1, 2013.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 714 An Act To Clarify the Laws Governing the Rule-making Authority of PUBLIC 196
the Maine Forest Service

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM ONTP	H-171

This bill amends the rule-making authority of the Maine Forest Service when dealing with introduced forest insects or diseases. Under current law, the agency has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. This bill provides that the agency may develop rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak.

Committee Amendment "A" (H-171)

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry.

Joint Standing Committee on Agriculture, Conservation and Forestry

Under current law, the Maine Forest Service has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. The amendment clarifies the provisions of the bill that provide that the Maine Forest Service may adopt rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak. The amendment provides that the Maine Forest Service may exercise its authority under current law to establish a quarantine on the transportation of trees or parts of trees notwithstanding any other provision of law. The amendment also requires the Director of the Maine Forest Service to submit a report on the rules adopted to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

Enacted Law Summary

Public Law 2013, chapter 196 amends the laws governing the rule-making authority of the Maine Forest Service. Under current law, the Maine Forest Service has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. Public Law 2013, chapter 196 clarifies the provisions of the bill that provide that the Maine Forest Service may adopt rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak. It provides that the Maine Forest Service may exercise its authority under current law to establish a quarantine on the transportation of trees or parts of trees notwithstanding any other provision of law. Public Law 2013, chapter 196 also requires the Director of the Maine Forest Service to submit a report on the rules adopted to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

LD 718 An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock

HELD BY GOVERNOR

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL CAIN	OTP-AM OTP-AM OTP-AM	H-393 H-444 TIMBERLAKE

This bill requires disclosure of genetic engineering at the point of retail sale of food and seed stock and provides that food or seed stock for which the disclosure is not made is considered to be misbranded and subject to the sanctions for misbranding. The bill provides that food or seed stock may not be labeled as "natural" if it has been genetically engineered. The bill exempts products produced without knowledge that the products, or items used in their production, were genetically engineered; animal products derived from an animal that was not genetically engineered but was fed genetically engineered food; and products with only a minimum content produced by genetic engineering. The bill also provides that the disclosure requirements do not apply to restaurants, alcoholic beverages or medical food. The disclosure provisions are administered by the Department of Agriculture, Conservation and Forestry.

Committee Amendment "A" (H-393)

This amendment is the majority report. The amendment adds a purpose section to the proposed new chapter on genetically engineered products in the Maine Revised Statutes, Title 22. It also changes the conditions governing the effective date and the repeal date of the bill. The amendment establishes a process for the Commissioner of Agriculture, Conservation and Forestry to report to the Secretary of State, the Revisor of Statutes and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters when 4 other northeastern states have adopted mandatory labeling legislation. The amendment provides that the section of the bill that enacts Title 22, chapter 565 takes effect 30 days after the date of the commissioner's certification. The amendment also removes all references to seed stock.

Committee Amendment "C" (H-395)

This amendment is one of 2 minority reports. It differs from the majority report by requiring substantially similar