

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 377 An Act To Provide Funding to Soil and Water Conservation Districts

PUBLIC 435

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	OTP-AM	H-21 S-336 HILL

This bill was enacted by the Legislature during the First Regular Session of the 126th Legislature and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

This bill includes an ongoing General Fund appropriation of \$200,000 in fiscal years 2013-14 and 2014-15 to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

Committee Amendment "A" (H-21)

This amendment incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-336)

This amendment reduces the ongoing funding for soil and water conservation districts from \$200,000 to \$50,000 for fiscal years 2013-14 and 2014-15.

Enacted Law Summary

Public Law 2013, chapter 435 provides an ongoing General Fund appropriation of \$50,000 in fiscal years 2013-14 and 2014-15 to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

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

ONTP

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

This bill was carried over from the First Regular Session of the 126th Legislature.

The 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.

**LD 718 An Act To Protect Maine Food Consumers' Right To Know about
Genetically Engineered Food**

PUBLIC 436

<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 was enacted by the Legislature during the First Regular Session of the 126th Legislature and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

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The 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 four 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 two minority reports. It differs from the majority report by requiring substantially similar legislation to have been enacted in five contiguous states, including Maine before it takes effect. The amendment adds a purpose section to the new chapter on genetically engineered products. It also changes the conditions governing the contingent effective date and the contingent 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 five contiguous states, including Maine have adopted substantially similar 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 proposes to exempt from the labeling requirements of the bill food products derived from any highly refined ingredients, where the effect of the purification process is to remove DNA or novel protein.

Committee Amendment "B" (H-394)

This amendment, which is one of two minority reports, changes the bill into a resolve. It directs the Commissioner of Agriculture, Conservation and Forestry to petition the United States Secretary of Agriculture and the United States Commissioner of Food and Drugs to develop a nationwide system to more fully evaluate, monitor and provide for necessary labeling to reinforce consumer confidence in the safety of the nation's food system.

House Amendment "B" To Committee Amendment "A" (H-444)

This amendment defines "food" to mean food intended for human consumption and changes the contingent effective date to provide that the Act takes effect when legislation requiring mandatory labeling of genetically engineered food has been adopted by five contiguous states, including Maine.

Enacted Law Summary

Public Law 2013, chapter 436 requires disclosure of genetic engineering at the point of retail sale of food and provides that food for which the disclosure is not made is considered to be misbranded and subject to the sanctions for misbranding.

The law provides that food may not be labeled as "natural" if it has been genetically engineered. It defines "food" to mean food intended for human consumption. It exempts products produced without knowledge that the products or

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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 law 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.

Public Law 2013, chapter 436 goes into effect when legislation requiring mandatory labeling of genetically engineered food has been adopted by five contiguous states, including Maine.

LD 1239 An Act To Clarify, Streamline and Promote Fair Animal Welfare Laws ONTP

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

This bill was carried over from the First Regular Session of the 126th Legislature.

The bill repeals the definition of "intermittent agent" in the animal welfare laws. It changes the definitions of "kennel," "boarding kennel" and "breeding kennel" to create three new kennel license designations: personal kennel license, commercial boarding or training kennel license and commercial breeder kennel license. It also defines "serious bodily injury". The bill also makes the changes to the animal welfare laws necessary to reflect the changes made in the defined terms. It removes the provision of law that requires a person to obtain a vendor's license to sell a dog or cat.

LD 1431 An Act To Support School Nutrition and Expand the Local Foods Economy Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C	OTP-AM	S-466
HICKMAN	OTP-AM	S-495 LANGLEY

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill requires the Department of Agriculture, Conservation and Forestry and the Department of Education to administer programs to support the expansion and coordination of the use of fresh local foods in public school food service programs. The Department of Agriculture, Conservation and Forestry is directed to provide grants in two phases for the identification of local food suppliers and the establishment of local food hubs to connect local food producers with public school food service programs and facilitate the operation of local food programs in schools. The bill also directs the Department of Education to develop and support local food training programs for public school food service personnel and facilitate the use of local food hubs to expand the use of local foods in schools.

The bill also provides a bond issue in the amount of \$12,000,000 to be used to develop up to ten local food hubs.

Committee Amendment "A" (S-466)

This amendment, which retains the emergency preamble and clause, strikes and replaces the bill and is the majority report. The amendment requires the Department of Agriculture, Conservation and Forestry and the Department of Education to administer programs to support the expansion and coordination of the use of fresh Maine foods in aggregated and institutional markets, including school food service programs.