

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

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.

Joint Standing Committee on Agriculture, Conservation and Forestry

The Department of Agriculture, Conservation and Forestry is directed to provide grants under the Agricultural Development Grant program for the purpose of conducting market feasibility studies and developing business plans for local food hubs in Maine to connect and enhance relationships between fresh food producers in Maine and aggregated and institutional markets, including school food service programs. The Commissioner of Agriculture, Conservation and Forestry may not award a local foods grant unless the applicant provides matching funds in an amount that is no less than 50 % of the grant amount.

The department is also directed to provide loans under the Agricultural Marketing Loan Fund to applicants in diverse geographic areas in the State for the purpose of establishing local food hubs located in Maine. Prior to awarding a local food hub loan, the Commissioner of Agriculture, Conservation and Forestry is required to determine that the potential overall impact of a proposal to Maine's agricultural economy and industry is beneficial to and in the best interest of the State. This amendment differs from the majority report, in that it provides that a loan for a local food hub project may not exceed 50 % of the total cost of the project.

The amendment also establishes the Maine Food Hub Advisory Committee, which includes representatives of statewide and regional organizations involved in supporting agriculture, public health, the environment and the state economy, including representatives of the member entities of the farm-to-school work group established by Resolve 2009, chapter 106.

The amendment 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. It retains the provision from the bill that increases the limit on the amount that the State matches for the acquisition of local food by a school administrative unit if the unit sends a food service employee for training in the acquisition and use of local foods. It also directs the department to develop and post a position description for school food service program personnel on its publicly accessible website and to develop an annual competitive skill-oriented school food service recognition.

The amendment adds an appropriations and allocations section.

Committee Amendment "B" (S-467)

This amendment, which retains the emergency preamble and clause, strikes and replaces the bill and is the minority 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.

The Department of Agriculture, Conservation and Forestry is directed to provide grants under the Agricultural Development Grant program for the purpose of conducting market feasibility studies and developing business plans for local food hubs in Maine to connect and enhance relationships between fresh food producers in Maine and aggregated and institutional markets, including school food service programs. The Commissioner of Agriculture, Conservation and Forestry may not award a local foods grant unless the applicant provides matching funds in an amount that is no less than 50% of the grant amount.

The department is also directed to provide loans under the Agricultural Marketing Loan Fund to applicants in diverse geographic areas in the State for the purpose of establishing local food hubs located in Maine. Prior to awarding a local food hub loan, the Commissioner of Agriculture, Conservation and Forestry is required to determine that the potential overall impact of a proposal to Maine's agricultural economy and industry is beneficial to and in the best interest of the State. The amendment also provides that a loan for a local food hub project may not exceed 50% of the total cost of the project (this is the only difference from the majority report).

The amendment also establishes the Maine Food Hub Advisory Committee, which includes representatives of statewide and regional organizations involved in supporting agriculture, public health, the environment and the state economy, including representatives of the member entities of the farm-to-school work group established by Resolve

Joint Standing Committee on Agriculture, Conservation and Forestry

2009, chapter 106.

The amendment 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. It retains the provision from the bill that increases the limit on the amount that the State matches for the acquisition of local food by a school administrative unit if the unit sends a food service employee for training in the acquisition and use of local foods. It also directs the department to develop and post a position description for school food service program personnel on its publicly accessible website and to develop an annual competitive skill-oriented school food service recognition.

The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-495)

This amendment amends Committee Amendment "A." The amendment directs the Department of Education to apply for federal grant funding for the implementation of the local foods training program and the increased state contribution for the Local Produce Fund, and it makes implementation contingent on receipt of funding.

LD 1521	Resolve, Directing the Department of Agriculture, Conservation and Forestry To Create a Pilot Program To Support the State's Small Food Processors	Accepted Majority (ONTP) Report
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	ONTP OTP-AM	

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

This resolve directs the Department of Agriculture, Conservation and Forestry to develop a pilot program to assist small food processors, similar to the Maine Farms for the Future program.

Committee Amendment "A" (H-634)

This amendment, which is the minority report, strikes and replaces the resolve and changes the title. The amendment directs the Department of Agriculture, Conservation and Forestry to review current initiatives that provide assistance to small food processors in the State, to research potential opportunities that may provide assistance to small food processors and to report to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters with findings and recommendations no later than January 9, 2015. The joint standing committee may submit a bill relating to the subject matter of the report to the First Regular Session of the 127th Legislature. The amendment provides an appropriations and allocations section.

LD 1567	Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-Target Deposition, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry	RESOLVE 88
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-590