

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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**  
126<sup>TH</sup> 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 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 Second Regular Session of the 126<sup>th</sup> 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*

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.

<b>LD 1521</b>	<b>Resolve, Directing the Department of Agriculture, Conservation and Forestry To Create a Pilot Program To Support the State's Small Food Processors</b>	<b>Accepted Majority (ONTP) Report</b>
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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.

<b>LD 1567</b>	<b>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</b>	<b>RESOLVE 88</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-590

*Joint Standing Committee on Agriculture, Conservation and Forestry*

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

The resolve provides for legislative review of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition, a major substantive rule of the Department of Agriculture, Conservation and Forestry that was filed outside the legislative rule acceptance period.

**Committee Amendment "A" (H-590)**

This amendment, which is the majority report, removes the emergency preamble and emergency clause from the resolve.

**Enacted Law Summary**

Resolve 2013, chapter 88 adopts portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition, a major substantive rule of the Department of Agriculture, Conservation and Forestry. The rules adopted pursuant to this resolve exempt certain requirements of Chapter 22 which would not be practical in an emergency situation when the Maine Center for Disease Control and Prevention recommends spraying due to vector-borne disease threats.

**LD 1568      Resolve, Regarding Legislative Review of Portions of Chapter 20:  
Special Provisions, a Late-filed Major Substantive Rule of the  
Department of Agriculture, Conservation and Forestry**

**RESOLVE 87**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-591

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

The resolve provides for legislative review of portions of Chapter 20: Special Provisions, a major substantive rule of the Department of Agriculture, Conservation and Forestry that was filed outside the legislative rule acceptance period.

**Committee Amendment "A" (H-591)**

This amendment, which is the majority report, removes the emergency preamble and emergency clause from the resolve.

**Enacted Law Summary**

Resolve 2013, chapter 87 adopts portions of Chapter 20: Special Provisions, a major substantive rule of the Department of Agriculture, Conservation and Forestry. Chapter 20 regulates the use, storage, and disposal of pesticides with an emphasis on registered pesticides, right-of-way and aquatic applications, and employer and employee requirements. Chapter 20 also covers landowner authorization for pesticide applications.

The rule adopted pursuant to this resolve relaxes the need for individual property owner authorization when the Maine Center for Disease Control and Prevention recommends spraying due to vector-borne disease threats.