

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 1569

Resolve, Regarding Legislative Review of Portions of Chapter 51: Notice of Aerial Pesticide Application, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry

RESOLVE 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-592

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

The resolve provides for legislative review of portions of Chapter 51: Notice of Aerial Pesticide Application, 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-592)

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

Enacted Law Summary

Resolve 2013, chapter 86 adopts portions of Chapter 51: Notice of Aerial Pesticide Application, a major substantive rule of the Department of Agriculture, Conservation and Forestry.

Chapter 51 describes the notification requirements for persons contracting aerial pesticide applications to control forest, ornamental plant, right-of-way, biting fly and public health pests. The rule adopted pursuant to this resolve exempts most of the requirements in Chapter 51 when the Maine Center for Disease Control and Prevention recommends spraying due to vector-borne disease threats, as notice requirements are included in Chapter 20, as adopted pursuant to Resolve 2013, chapter 87. The requirement for notice to the Board of Pesticides Control and the Maine Poison Control Center in Chapter 51 are not exempted.

LD 1586 An Act To Strengthen Enforcement Standards for Potatoes

PUBLIC 475

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER LANGLEY	OTP-AM ONTP	H-632

This bill increases fines for violating the provisions of law regarding minimum standards for planting potatoes in the State and allows the Department of Agriculture, Conservation and Forestry access to planted fields for auditing purposes.

Committee Amendment "A" (H-632)

This amendment, which is the majority report of the committee, clarifies the bill's intent that the fine for violating the provision of law regarding minimum standards for planting potatoes in the State is \$1,000 plus not more than \$400 per acre for each acre or part of an acre planted in violation of the law.

Enacted Law Summary

Public Law 2013, chapter 475 increases fines for violating minimum standards for planting potatoes in the State and allows the Department of Agriculture, Conservation and Forestry access to planted fields for auditing purposes. The law provides that the fine for violating minimum standards for planting potatoes in the State is \$1,000 plus not more