

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
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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

than \$400 per acre for each acre or part of an acre planted in violation of the law.

LD 1587 An Act To Temporarily Ban the Use of Neonicotinoid Pesticides ONTP

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

This bill bans the use, sale, and distribution of neonicotinoid pesticides for two years. It also directs the joint standing committee of the Legislature having jurisdiction over agricultural matters to review the use and effects of neonicotinoid pesticides.

LD 1665 An Act To Clarify the Confidentiality of Wood Processor Report Information PUBLIC 513

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY WILSON	OTP-AM OTP-AM	S-452

This bill clarifies that all information, not just volume information, submitted by wood processing facilities annually to the Department of Agriculture, Conservation and Forestry, Maine Forest Service is confidential.

Committee Amendment "A" (S-452)

This amendment, which strikes and replaces the bill, makes a technical correction. Unlike the bill, which proposes to make all information submitted by word processing facilities to the Department of Agriculture, Conservation and Forestry, Maine Forest Service confidential, the amendment specifies which information submitted by roundwood processing operations and importers and exporters of forest products annually to the Maine Forest Service is confidential.

Enacted Law Summary

Public Law 2013, chapter 513 specifies which information submitted annually by roundwood processing operations, and importers and exporters of forest products to the Department of Agriculture, Conservation and Forestry, Maine Forest Service is confidential.

LD 1673 An Act To Further Delegate Permit-granting Authority to the Bureau of Forestry PUBLIC 570

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOYLE MAREAN	OTP-AM ONTP	S-428 S-541 HILL

Under the Natural Resources Protection Act, the Department of Environmental Protection and the Department of Agriculture, Conservation and Forestry, Bureau of Forestry each have permitting authority with respect to timber harvesting activities. This bill consolidates this permitting authority under the bureau.

Committee Amendment "A" (S-428)

The bill provides that the Department of Agriculture, Conservation and Forestry, Bureau of Forestry must issue permits under the Natural Resources Protection Act for timber harvesting activities in all areas of the State, except

Joint Standing Committee on Agriculture, Conservation and Forestry

Indian reservations. This amendment, which is the majority report, strikes the exemption for Indian reservations.

The amendment provides that the bureau must consult with the Department of Environmental Protection prior to issuing permits for the mining of gravel used for the construction and maintenance of roads used primarily for timber harvesting in the organized areas of the State.

The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-541)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 570 provides that the Department of Agriculture, Conservation and Forestry, Bureau of Forestry is authorized to issue permits under the Natural Resources Protection Act for timber harvesting activities in all areas of the State. The law also provides that the bureau must consult with the Department of Environmental Protection prior to issuing permits for the mining of gravel used for the construction and maintenance of roads used primarily for timber harvesting in the organized areas of the State.

LD 1674 An Act To Further Ensure the Provision of Safe Medical Marijuana to Maine Patients

**PUBLIC 498
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO DILL	OTP-AM ONTP	S-415

Public Law 2013, chapter 371 prohibited the use of a pesticide in the cultivation of medical marijuana unless the pesticide is exempt from federal registration requirements and registered with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. This bill expands the list of pesticides that may be used by a registered primary caregiver or registered dispensary to include other specified pesticides, even if those additional pesticides are not exempt from federal registration requirements or registered with the Board of Pesticides Control.

Committee Amendment "A" (S-415)

This amendment, which is the majority report of the committee, removes from the bill the list of specific pesticides that may be used by a primary caregiver or registered dispensary under the medical marijuana laws, and instead provides that primary caregivers and registered dispensaries may use pesticides whose product labels allow for such use. Like the bill, the amendment retains the provisions of current law that require the pesticides to be registered with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control and to be used in accordance with best management practices approved by the Commissioner of Agriculture, Conservation and Forestry, but the amendment clarifies that the approved best management practices relate to pest management.

Enacted Law Summary

Public Law 2013, chapter 498 provides that primary caregivers and registered dispensaries under the medical marijuana laws may use pesticides whose product labels allow for such use. Current law requires pesticides to be registered with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control and to be used in accordance with best management practices approved by the Commissioner of Agriculture, Conservation and Forestry. Public Law 2013, chapter 498 clarifies that the approved best management practices relate to pest management.

Public Law 2013, chapter 498 was enacted as an emergency measure effective April 2, 2014.