

# 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*

who offers for sale or sells to another person any milk or milk products in their final form. The amendment provides that a milk distributor who sells unpasteurized milk or unpasteurized milk product is exempt from licensing requirements if the following conditions are met.

1. The sale of the unpasteurized milk or unpasteurized milk product in its final form is made directly to the end consumer on the premises of the dairy farm, including a farm stand or eating and lodging place located on property contiguous to the dairy farm.
2. The milk distributor allows each person who purchases unpasteurized milk or an unpasteurized milk product to visually inspect the dairy farm where the unpasteurized milk or unpasteurized milk product is produced. The milk distributor may require a person who chooses to inspect the dairy farm to follow sanitary procedures determined by the milk distributor.
3. The milk distributor does not promote the unpasteurized milk or unpasteurized milk product in any manner other than in person or a face-to-face exchange between the milk distributor and the end consumer.
4. The unpasteurized milk or unpasteurized milk product must be sold in a package that meets applicable labeling requirements in law and has a label containing the name, address and phone number of the milk distributor and the following statement: "This food has been produced by a milk distributor that is exempt from licensing and inspection by the State of Maine."

The amendment also provides that the Commissioner of Agriculture, Conservation and Forestry may inspect a dairy farm when investigating an outbreak of foodborne illness.

### **LD 1808      An Act To Protect the Public from Mosquito-borne Diseases**

**PUBLIC 548**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-780

This bill is reported out by the Joint Standing Committee on Agriculture, Conservation and Forestry pursuant to Resolve 2013, chapter 13, section 2.

The bill establishes that the Department of Health and Human Services is the lead agency in the State for monitoring for mosquito-borne diseases. It authorizes the Commissioner of Health and Human Services to declare a mosquito-borne disease public health threat. The bill also establishes the state policy for managing disease-carrying mosquitoes and authorizes the Department of Agriculture, Conservation and Forestry, after consulting with affected municipalities, to conduct appropriate mosquito management activities in response to mosquito-borne disease public health threats. In addition, the bill authorizes municipalities to cooperate in managing mosquitoes through the formation of mosquito management districts. It establishes the Maine Mosquito Management Fund to provide funding for mosquito management activities.

#### **Committee Amendment "A" (H-780)**

The amendment adds an appropriations and allocations section.

#### **Enacted Law Summary**

Public Law 2013, chapter 548 establishes that the Department of Health and Human Services is the lead agency in the State for monitoring for mosquito-borne diseases. The law authorizes the Commissioner of Health and Human Services to declare a mosquito-borne disease public health threat. It also establishes the state policy for managing disease-carrying mosquitoes and authorizes the Department of Agriculture, Conservation and Forestry, after

## *Joint Standing Committee on Agriculture, Conservation and Forestry*

consulting with affected municipalities, to conduct appropriate mosquito management activities in response to mosquito-borne disease public health threats. In addition, the law authorizes municipalities to cooperate in managing mosquitoes through the formation of mosquito management districts. It establishes the Maine Mosquito Management Fund to provide funding for mosquito management activities.

### **LD 1823 An Act To Amend the Outcome-based Forestry Experiment Laws**

**ONTP**

Sponsor(s)

MCCABE

Committee Report

ONTP

Amendments Adopted

This bill amends the laws governing outcome-based forest policy experimental areas. It amends the membership of the technical panel assessing those experimental areas. It requires the technical panel to prepare an independent assessment and amends reporting requirements. It also repeals these laws July 1, 2021.

### **LD 1838 An Act To Expand Affordable Heating Investments with Maine's Public Resources**

**Accepted Majority  
(ONTP) Report**

Sponsor(s)

YOUNGBLOOD

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill establishes the Affordable Heating from Maine's Forests Fund, administered by the Efficiency Maine Trust. The fund receives revenue from the sale of timber and other things of value from Maine's public reserved lands. In 2014, a total of \$1,000,000 will be transferred from the Public Reserved Lands Management Fund to the Affordable Heating from Maine's Forests Fund, and in subsequent years, \$1,250,000 or \$1,000,000 will be transferred annually depending on the quantity of wood harvested. The Efficiency Maine Trust is required to use the funding for measures that reduce residential heating costs.

#### **Committee Amendment "A" (S-480)**

This amendment, which is the minority report, renames the Affordable Heating from Maine's Forests Fund established in the bill the Low-income Affordable Heating Assistance from Maine's Forests Fund.

The amendment provides that the fund administered by the Efficiency Maine Trust must be used for investments in affordable measures that reduce residential heating costs for individuals eligible for the federal Low-income Home Energy Assistance Program. The amendment also provides that the Treasurer of State is required to transfer funds from the Public Reserved Lands Management Fund to the Low-income Affordable Heating Assistance from Maine's Forests Fund, but only if the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry determines that the transfer of funds will not significantly impair management of public lands. It also provides that the transfer of funds will begin September 1, 2014 rather than March 1, 2014. It also removes the emergency preamble and the emergency clause. Finally, the amendment adds an appropriations and allocations section.

### **LD 1847 An Act To Clarify Outcome-based Forestry**

**PUBLIC 542**

Sponsor(s)

BOYLE  
CRAY

Committee Report

OTP-AM

Amendments Adopted

S-502