

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

August 2015

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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 39 **Resolve, To Require a Review of the Merger That Resulted in the Department of Agriculture, Conservation and Forestry** **ONTP**

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to establish a task force to review the effects of the merger of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation, including the bureaus and divisions within those departments, into the Department of Agriculture, Conservation and Forestry, pursuant to Public Law 2011, chapter 657 and Public Law 2013, chapter 405. In performing the review, the task force is required to determine whether the merged department has continued to provide the services formerly provided by the former departments at the same or a better level while attaining budgetary savings. Based on the review, this resolve requires the task force to report its findings and any necessary implementing legislation during the Second Regular Session of the 127th Legislature.

LD 119 **An Act To Allow for the Cultivation of Hemp** **ONTP**

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

This bill eliminates the requirement that issuance of a license for industrial hemp cultivation is contingent upon one of the following actions by federal government:

1. The United States Congress excludes industrial hemp from the definition of "marihuana" for the purpose of the Controlled Substances Act, 21 United States Code, Section 802(16); or
2. The United States Department of Justice, Drug Enforcement Administration takes affirmative steps towards issuing a permit under 21 United States Code, Chapter 13, Subchapter 1, Part C to a person holding a license issued by a state to grow industrial hemp.

LD 202 **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 Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control** **RESOLVE 5
EMERGENCY**

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

This 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, Board of Pesticides Control.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2015, chapter 5 provides that final adoption of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 5 was finally passed as an emergency measure effective March 29, 2015.

**LD 203 Resolve, Regarding Legislative Review of Portions of Chapter 28:
Notification Provisions for Outdoor Pesticide Applications, a Major
Substantive Rule of the Department of Agriculture, Conservation and
Forestry, Board of Pesticides Control**

**RESOLVE 6
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Enacted Law Summary

Resolve 2015, chapter 6 provides that final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 6 was finally passed as an emergency measure effective March 29, 2015.

**LD 207 An Act To Amend the Maine Commercial Fertilizer Law and the Maine
Agricultural Liming Materials Act**

ONTP

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

This bill changes the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act to eliminate the fee of \$1 per ton on commercial fertilizers and agricultural liming materials.

The bill directs the Commissioner of Agriculture, Conservation and Forestry to distribute 50 percent of the remaining funds collected from those fees to pay for improvements to Maine's facilities at the Eastern States Exposition in Massachusetts and to distribute 50 percent of the remaining funds collected from those fees to the Maine Potato Board to be used as matching funds for a federal soil health and water quality project.

**LD 229 An Act To Exempt Small Raw Milk Producers from Licensing
Requirements**

ONTP

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