

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

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	

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill exempts the sale of raw milk and raw milk products from state licensing requirements under the following circumstances:

1. The sale is by a milk distributor who daily produces for sale less than 20 gallons of raw milk or daily processes less than 20 gallons of raw milk into various dairy products and sells the milk and milk products directly to the consumer from the milk distributor's own farm or farm stand or at a farmers' market within the State;
2. The raw milk and raw milk products are clearly labeled with the name, address and phone number of the milk distributor's farm, the name of the product and the following statement: "This product is made with raw milk and is exempt from State of Maine licensing;" and
3. At the point of sale, a sign is placed that contains the name, address and phone number of the milk distributor's farm and the following statement: "Products from this farm made from raw milk are exempt from State of Maine licensing."

LD 253 An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs PUBLIC 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS LOCKMAN	OTP-AM	S-50

This bill requires all members of a work crew with permission to cut Christmas trees or evergreen boughs on the property of another to possess a copy of the landowner's permission.

Committee Amendment "A" (S-50)

This amendment clarifies that a person with permission to cut Christmas trees or evergreen boughs on land of another must have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

Enacted Law Summary

Public Law 2015, chapter 55 requires a person with permission to cut Christmas trees or evergreen boughs on the property of another to have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

LD 304 An Act To Support Marketing of Maine's Farms and Fisheries ONTP

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

This bill allows the accrued interest in the Agricultural Marketing Loan Fund to be used for competitive grants that would fund feasibility studies or business planning for new infrastructure projects that would support the operation of an agricultural enterprise.