

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

stands that have a significant risk of damage from spruce budworm.

Committee Amendment "A" (S-252)

This amendment:

1. Updates the process for regulation of presalvage and salvage harvesting;
2. Establishes additional parameters for the rulemaking process;
3. Establishes penalties for violations;
4. Defines the effect of other laws on presalvage and salvage harvesting; and
5. Adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-466)

This amendment amends Committee Amendment "A" regarding the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand and retains a section removed from the bill regarding the authority of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to conduct research.

Enacted Law Summary

Public Law 2015, chapter 314 updates the Maine Spruce Budworm Management Act.

Specifically, Public Law 2015, chapter 314:

1. Eliminates outdated language, such as that referring to pesticide spraying;
2. Adds language governing presalvage and salvage harvesting of forest stands that have a significant risk of damage from spruce budworm, including specifications about the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand;
3. Updates the process for regulation of presalvage and salvage harvesting;
4. Establishes additional parameters for the rulemaking process;
5. Establishes penalties for violations; and
6. Defines the effect of other laws on presalvage and salvage harvesting.

LD 872

Resolve, Establishing a Task Force To Ensure Integrity in the Use of Service Animals

**RESOLVE 36
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD CUSHING	OTP-AM ONTP	H-370

This resolve establishes the Study Commission To Ensure Integrity in the Use of Service Animals in order to study training and certification requirements of service animals, methods of disseminating information about service animals to the public and documentation of training and certification of service animals.

Committee Amendment "A" (H-370)

Joint Standing Committee on Agriculture, Conservation and Forestry

This amendment, which is the majority report, replaces the resolve. The amendment directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The amendment establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Enacted Law Summary

Resolve 2015, chapter 36 directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The resolve establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Resolve 2015, chapter 36 was finally passed as an emergency measure effective June 27, 2015.

LD 925 An Act To Promote Small Diversified Farms and Small Food Producers Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN SAVIELLO	OTP-AM	H-335

This bill facilitates direct sales between Maine farmers and consumers by exempting the following persons from State licensing requirements:

1. Agricultural producers that sell farm food products directly to informed end consumers at a farmers' market, on the farm where the farm food product originated or at the home of the informed end consumer; and
2. Individuals that sell homemade food directly to an informed end consumer at their home, at a farmers' market or at a traditional community social event.

The bill also establishes uniform labeling requirements for the exempted products.

Committee Amendment "A" (H-335)

This amendment redefines "informed end consumer," eliminates farmers' markets from the list of exempted venues, changes the wording of the labeling requirement and requires a sign concerning food allergies to be displayed where sales occur.

LD 938 An Act To Clarify Maine's Fertilizer Quality Control Laws PUBLIC 191

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HICKMAN	OTP-AM	S-181

This bill reduces by half, from \$1 per ton to 50 cents per ton, the fees collected by the Department of Agriculture, Conservation and Forestry on commercial fertilizer sold in the State. The bill also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

Committee Amendment "A" (S-181)