

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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127TH LEGISLATURE

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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.

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The bill requires the Department of Agriculture, Conservation and Forestry to submit an annual report on the pilot program to the joint standing committee of the Legislature having jurisdiction over agricultural matters including any assessment of or comments about the pilot program provided by interested persons, including producers, processors and consumers participating in the pilot program. Upon receipt of the report, the committee may report out a bill relating to the pilot program.

Committee Amendment "A" (S-284)

This amendment provides that the Department of Agriculture, Conservation and Forestry is only required to take certain actions to assist local food producers and processors upon the request of the eligible producers and processors. The amendment also adds an appropriations and allocations section.

LD 1408 Resolve, Regarding Legislative Review of Portions of Chapter 21: RESOLVE 26
Statewide Standards for Timber Harvesting and Related Activities in EMERGENCY
Shoreland Areas, a Late-filed Major Substantive Rule of the
Department of Agriculture, Conservation and Forestry, Bureau of
Forestry

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

This resolve provides for legislative review of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2015, chapter 26 provides that final adoption of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

Resolve 2015, chapter 26 was finally passed as an emergency measure effective June 16, 2015.

LD 1424 Resolve, Authorizing Certain Land Transactions by the Department of RESOLVE 29
Agriculture, Conservation and Forestry, Bureau of Parks and Lands

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN	OTP-AM	H-407 H-422 HICKMAN

This resolve provides for the following.

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scopan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor,

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located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.

3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.
5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.
6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.

Committee Amendment "A" (H-407)

This committee amendment clarifies that the property or other consideration received from Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company must be of equivalent value to the interests in land conveyed. The amendment also describes in greater detail the land that must be received from Smith's Farm, Inc. It also adds an emergency preamble and emergency clause.

House Amendment "A" To Committee Amendment "A" (H-422)

This amendment removes the emergency preamble and emergency clause as added by the committee amendment.

Enacted Law Summary

Resolve 2015, chapter 29 provides the following:

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scopan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor, located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.
3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.

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5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.

6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.