

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second 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.

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 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 First Regular Session of the 127th Legislature is July 29, 2016. 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 1580 **Resolve, Regarding Legislative Review of Portions of Chapter 26: Producer Margins, a Late-filed Major Substantive Rule of the Maine Milk Commission**

**RESOLVE 72
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-544

This resolve provides for legislative review of portions of Chapter 26: Producer Margins, a major substantive rule of the Maine Milk Commission that was filed outside the legislative rule acceptance period.

Committee Amendment "A" (H-544)

This amendment provides that final adoption of portions of Chapter 26: Producer Margins, a provisionally adopted major substantive rule of the Maine Milk Commission, is not authorized.

Enacted Law Summary

Resolve 2015, chapter 72 provides that final adoption of portions of Chapter 26: Producer Margins, a provisionally adopted major substantive rule of the Maine Milk Commission, is not authorized.

Resolve 2015, chapter 72 was finally passed as an emergency measure effective March 29, 2016.

LD 1584 **An Act To Continue To Provide Group Exemption Passes to State Parks for Persons with Disabilities and To Ensure Transparency for Certain Fees**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W BURNS D	OTP-AM ONTP	H-599

This bill requires the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to issue a free group exemption pass for day use at state parks and historic sites to an organization that serves persons with disabilities. The pass entitles persons with disabilities and persons assisting them to admission free of charge to all state parks and historic sites for visits arranged by the organization holding the pass.

Committee Amendment "A" (H-599)

This amendment strikes and replaces the bill. It requires the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to adopt rules providing for the issuance of free group passes for day use at state parks and historic sites to eligible organizations that serve persons with disabilities. This amendment also provides that the bureau's schedule of fees for services, accommodations and use must be posted on its publicly accessible website by October 1st of each year and that a new or changed fee takes effect on January 1st following its posting.

LD 1595 **Resolve, Authorizing the Reconveyance of Land and Authorizing the Sinclair Sanitary District To Lease Land for Telecommunications Purposes**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R EDGEComb P	ONTP	

Joint Standing Committee on Agriculture, Conservation and Forestry

This resolve directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to reconvey to the Sinclair Sanitary District land that was previously conveyed to the district pursuant to Resolve 1991, chapter 75. This resolve also authorizes the Sinclair Sanitary District to lease a portion of that land to Bay Communications II, LLC to build a commercial telecommunications tower.

This resolve was incorporated into another bill considered by the Joint Standing Committee on Agriculture, Conservation and Forestry. LD 1559, An Act To Authorize the Sinclair Sanitary District To Lease Land for Telecommunications Purposes incorporates the content of this resolve and was enacted as Private and Special Law 2015, chapter 18.

LD 1629 An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management Fund

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-648

This bill was reported by the committee pursuant to Public Law 2015, chapter 267, Pt. GGGG, section 7 and then referred back to the committee for processing in the normal course.

It implements the recommendations of the Commission To Study the Public Reserved Lands Management Fund.

Part A of this bill prohibits any expenditures from the Public Reserved Lands Management Fund other than for the general operations of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands with respect to management of public reserved lands, unless the fund has at least \$2,500,000 at the start of the fiscal year.

It gives the joint standing committee of the Legislature having jurisdiction over public reserved lands matters the authority to approve all expenditures from the Public Reserved Lands Management Fund. This authority was repealed by Public Law 2013, chapter 368, Part LLLL, section 2.

It requires the bureau's annual report dealing with public reserved lands to include a breakdown of growth and yield in any regional public reserved lands units, identifying any harvesting that occurred during the preceding fiscal year in individual management units where yield exceeds annual growth.

It directs the bureau to establish an educational grant program to provide one-time grants to eligible public secondary and postsecondary institutions for educational programs related to logging. Funding for the grants comes from the Public Reserved Lands Management Fund.

Part B of this bill reestablishes the Commission To Study the Public Reserved Lands Management Fund, which was originally established in Public Law 2015, chapter 267, Part GGGG to review and analyze issues regarding the Public Reserved Lands Management Fund and the proper harvest levels on state land.

Committee Amendment "A" (H-648)

This amendment implements additional recommendations of the Commission To Study the Public Reserved Lands Management Fund that were not included in the original bill. These recommendations include:

1. Directing the Department of Agriculture, Conservation and Forestry to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands by March 15, 2017 and every five years thereafter;
2. Establishing additional guidelines that must be followed by the Department of Agriculture, Conservation and Forestry before it may adopt any rule that would make changes to the annual allowable harvesting level for public