

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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128TH 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 128th 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 FINAL 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 128th Legislature is Wednesday, November 1, 2017. 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 7 An Act To Allow Conveyance of Land Previously Conveyed by the State to the Town of Bridgton

PUBLIC 18

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GINZLER P HAMPER J	OTP ONTP	

This bill gives the Town of Bridgton the ability to convey nonwaterfront portions of a piece of property held for public use if the town determines the portion to be conveyed has no identifiable public use. It also requires that all revenues received by the town from the conveyance of the nonwaterfront properties be held in a trust fund for parks and recreational purposes.

Enacted Law Summary

Public Law 2017, chapter 18 gives the Town of Bridgton the ability to convey nonwaterfront portions of a piece of property held for public use if the town determines the portion to be conveyed has no identifiable public use. It also requires that all revenues received by the town from the conveyance of the nonwaterfront properties be held in a trust fund for parks and recreational purposes.

LD 8 An Act To Provide Training for Forest Rangers To Carry Firearms

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W MAKER J	OTP-AM ONTP	H-451

This bill prohibits the Department of Agriculture, Conservation and Forestry from prohibiting a forest ranger from carrying a personal concealed firearm for the forest ranger's protection while on duty.

Committee Amendment "A" (H-451)

This amendment strikes and replaces the bill. The amendment amends the powers and duties of the Board of Trustees of the Maine Criminal Justice Academy to include that the board establish certification standards and a training program for forest rangers and the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry. The training program must include preservice law enforcement training under the Maine Revised Statutes, Title 25, section 2804-B; an additional basic forest ranger training program developed by the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and approved by the board that is specific to the duties of a forest ranger; in-service law enforcement training that is specifically approved by the board as prescribed in Title 25, section 2804-E; and a firearms training program equivalent to a firearms training program of a full-time law enforcement officer trained at the Maine Criminal Justice Academy that is developed and approved by the board. The training program exempts forest rangers from basic law enforcement training and other requirements under Title 25, section 2804-C, but completion of the basic training under section 2804-C exempts a person from the preservice training requirement.

The training program satisfies requirements necessary for forest rangers to carry firearms in the course of their duties. The amendment also specifies that beginning July 1, 2018, all forest rangers and the state supervisor must successfully complete the training requirements established under Title 25, section 2803-A, subsection 8-D, which provides the department and the board time to develop and implement the training.

The amendment also adds an appropriations and allocations section.

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 124 An Act To Make Changes to the Potato Marketing Improvement Fund

PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D JACKSON T	OTP	

This bill increases the total amounts the State may loan from the Potato Marketing Improvement Fund from 45% of project cost to 55% of project cost for projects that cost more than \$50,000 but less than \$150,000. Loans for projects of \$50,000 and under remain unchanged at 55% and loans for projects that exceed \$150,000 remain unchanged at 45%.

Enacted Law Summary

Public Law 2017, chapter 6 increases the total amounts the State may loan from the Potato Marketing Improvement Fund from 45% of project cost to 55% of project cost for projects that cost more than \$50,000 but less than \$150,000. Loans for projects of \$50,000 and under remain unchanged at 55% and loans for projects that exceed \$150,000 remain unchanged at 45%.

LD 128 An Act To Prohibit Foraging on Private Land without Permission

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	ONTP OTP-AM	

This bill requires anyone harvesting edible wild food to have written permission or a bill of sale from the landowner before harvesting or transporting. The permission requirements and enforcement provisions of this bill are the same as currently exist in Maine law for commercial harvesting of Christmas trees and boughs for wreaths. The bill also authorizes the Department of Health and Human Services to decline to certify or to revoke the certification under the Maine Wild Mushroom Harvesting Certification Program of any person found in violation of the prohibition.

Committee Amendment "A" (S-48)

This amendment is the minority report. It replaces the bill and specifies that the Department of Health and Human Services may decline to certify or may revoke the certification of any person whom the department finds to be selling mushrooms harvested on the land of another without securing written permission or a bill of sale from the owner of the land or the owner's authorized agent.

This amendment was not adopted.

LD 151 Resolve, To Authorize the Transfer of State-owned Property to the Town of St. Agatha

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	ONTP	