

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

MEMBERS:

SEN. PAUL T. DAVIS, SR., CHAIR
SEN. THOMAS B. SAVIELLO
SEN. JAMES F. DILL

REP. MICHELLE DUNPHY, CHAIR
REP. RALPH CHAPMAN
REP. ROLAND DANNY MARTIN
REP. MARGARET M. O'NEIL
REP. RUSSELL J. BLACK
REP. CAROL A. MCELWEE
REP. MARYANNE KINNEY
REP. NORMAN E. HIGGINS
REP. THOMAS H. SKOLFIELD
REP. KENT ACKLEY

STAFF:

HILLARY RISLER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 8

An Act To Provide Training for Forest Rangers To Carry Firearms

PUBLIC 456

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W MAKER J	OTP-AM ONTP	H-451 S-519 HAMPER J

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

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.

Senate Amendment "A" To Committee Amendment "A" (S-519)

This amendment changes the beginning date for completion of the training requirements to July 1, 2019 from July 1, 2018. This amendment also removes the amounts appropriated in fiscal year 2017-18 and appropriates those amounts in fiscal year 2018-19.

Enacted Law Summary

Public Law 2017, chapter 456 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

Joint Standing Committee on Agriculture, Conservation and Forestry

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. Public Law 2017, chapter 456 also specifies that beginning July 1, 2019, all forest rangers and the state supervisor must successfully complete the training requirements established under Title 25, section 2803-A, subsection 8-D.

LD 173 An Act To Reduce Food Insecurity

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E DAVIS P	OTP-AM	H-121

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill provides an appropriation of \$5,000,000 to allow the Department of Agriculture, Conservation and Forestry to contract with the Good Shepherd Food Bank or a successor organization for statewide hunger relief services.

Committee Amendment "A" (H-121)

This amendment reduces the appropriation in the bill to \$2,500,000.

**LD 174 An Act To Require Schools To Submit Pest Management Activity Logs
and Inspection Results to the Board of Pesticides Control for the
Purposes of Providing Information to the Public**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-374

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill restricts the use of pesticides on school grounds. It allows their use only in situations that pose a health threat to a student or staff member, in response to the presence of animals or insects identified as a public health nuisance, or on agricultural fields in accordance with the manufacturer's instructions. It permits their use on athletic