

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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STATE OF MAINE

128TH LEGISLATURE
FIRST 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 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

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	

Joint Standing Committee on Agriculture, Conservation and Forestry

This resolve gives the Commissioner of Administrative and Financial Services authority to sell for \$1 to the Town of St. Agatha the property now or formerly occupied by the Department of Agriculture, Conservation and Forestry, Maine Forest Service located at 655 Main Street, St. Agatha.

LD 157 An Act To Require the Reporting of Animal Cruelty or Neglect ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHANSEN C ROSEN K	ONTP	

This bill requires a licensed veterinarian to report to the Commissioner of Agriculture, Conservation and Forestry when the veterinarian has reasonable cause to suspect that an animal is the subject of cruelty or neglect. Current law requires a licensed veterinarian to report only when there is suspicion of aggravated cruelty.

LD 159 An Act To Prohibit the Mining of Massive Sulfide Ore Deposits on State Lands Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE R DILL J	ONTP OTP-AM	

This bill amends the laws regarding mining on state lands to prohibit the issuance of a mining lease that authorizes the mining of a massive sulfide ore deposit located on state lands. The bill defines a "massive sulfide ore deposit" as a metal sulfide ore deposit that, as determined by the Maine Geological Survey, contains in total 1,000,000 tons or more of metallic minerals.

Committee Amendment "A" (H-528)

This amendment is the minority report of the committee and adds a fiscal note.

This amendment was not adopted.

LD 167 An Act To Fund Animal Control Officers and Animal Shelters ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to find sources of revenue to fund animal control officers under the Maine Revised Statutes, Title 7, section 3947 and animal shelters under Title 7, section 3949.