

# 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**  
128<sup>TH</sup> 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

**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:**

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

# STATE OF MAINE

128<sup>TH</sup> 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 128<sup>th</sup> 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 128<sup>th</sup> 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*

Eagle Lake Sporting Camps business is sold to another entity, as long as the sale of the business is at an appraised fair market value and the leased land continues to be used for a year-round sporting camp or Class A restaurant and lodge open to the public, as specified in the lease agreement, and the transferee agrees to comply with all terms and conditions of the lease and all other applicable laws and rules of the State.

This amendment also adds an emergency preamble and emergency clause to the bill, but the provisions relating to the Eagle Lake Sporting Camps take effect 90 days after the adjournment of the First Regular Session of the 128th Legislature.

### **Enacted Law Summary**

Public Law 2017, chapter 262 requires the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to amend its rules expressly to permit bear baiting at sites that are not accessible by road but are accessible by water. It also requires the bureau to issue a permit to place bear bait at a site not accessible by road but accessible by water to any licensed Maine guide who applies in 2017 for such a permit if the applicant held such a permit for that site in 2016 and has not become ineligible for such a permit, unless the bureau finds there is a valid land management reason placement of bait at the site is no longer feasible and the bureau provides the applicant a written explanation of that reason. If the permit is denied for a valid land management reason, the bureau must work with the applicant to seek to find a suitable alternative site that meets the needs of the applicant.

Public Law 2017, chapter 262 directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to issue a revised lease of land in Township 16, Range 6 current as of the effective date of this Act from the State to Eagle Lake Sporting Camps, that changes its term from 15 years to 30 years, notwithstanding the limitation in current law for such leases to be no longer than 15 years. The amendment also provides for successive renewals for terms of 30 years each as long as the land continues to be used for a year-round sporting camp or Class A restaurant and lodge open to the public, as specified in the lease agreement, and the lessee complies with all other terms and conditions of the lease and all other applicable laws and rules of the State. The lessee may request such a 30-year renewal during the 10 calendar years prior to the end of the term of any then-existing lease. A renewal commences at the end of the term of the then-existing lease. The director is also authorized to allow, on reasonable terms and conditions, a transfer of the leasehold interests to another entity if the Eagle Lake Sporting Camps business is sold to another entity, as long as the sale of the business is at an appraised fair market value and the leased land continues to be used for a year-round sporting camp or Class A restaurant and lodge open to the public, as specified in the lease agreement, and the transferee agrees to comply with all terms and conditions of the lease and all other applicable laws and rules of the State.

Public Law 2017, chapter 262 was enacted as an emergency measure effective June 27, 2017, except that those provisions of the law relating to the Eagle Lake Sporting Camps take effect 90 days after the adjournment of the First Regular Session of the 128th Legislature.

**LD 1127**

### **An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B CARSON B	OTP-AM	H-376

This bill provides for free entry to state parks for those persons who have gold star family registration plates on their motor vehicles, and their passengers.

### **Committee Amendment "A" (H-376)**

This amendment incorporates a fiscal note.

## ***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 1167      An Act To Deregulate the In-state Extraction and Sale of Raw Honey      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A HICKMAN C	ONTP	

This bill exempts raw honey producers and sellers from licensing and inspection by the Department of Agriculture, Conservation and Forestry as long as the raw honey is both extracted and sold within the State.

**LD 1181      An Act To Provide Funding to Municipalities Severely Infested by Brown-tail Moth Caterpillars      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER D VITELLI E	ONTP OTP-AM	

This bill establishes the Maine Brown-tail Moth Caterpillar Management Fund to provide municipalities severely infested with brown-tail moth caterpillars funds to be used in mitigating the infestation of properties within the municipality. It also provides \$500,000 to the fund.

### **Committee Amendment "A" (H-378)**

This amendment is the minority report of the committee. It replaces the bill with a resolve that requires the State Entomologist within the Department of Agriculture, Conservation and Forestry to work with the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to develop best management practices for municipalities to address the browntail moth infestation and provide those best management practices to municipalities across the State. It also requires the State Entomologist to report to the Joint Standing Committee on Agriculture, Conservation and Forestry by January 15, 2018 with those best management practices recommended to municipalities and the results in municipalities that followed the recommendations.

This amendment was not adopted.

**LD 1182      An Act Regarding the Disclosure of Hormone-disrupting Chemicals in Packaged Food      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES D DAVIS P	ONTP OTP-AM	

This bill requires manufacturers and distributors of food or beverage products to submit to the Department of Agriculture, Conservation and Forestry written notice if an ortho-phthalate, or any other chemical the department determines poses a human health hazard, is present in an amount greater than a de minimus level in the product's container or packaging or the food or beverage within the container or packaging. It requires the department to make information received from manufacturers and distributors available to the public. It authorizes the department to assess a fee on manufacturers and distributors.