

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 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.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (H-506)

This amendment, which is the minority report of the committee, provides that the requirements of the bill apply only to food products and manufacturers and distributors of food products, but not to beverages or manufacturers or distributors of beverages. It retains the provision that authorizes the department to assess a fee on manufacturers and distributors. The amendment also narrows the group of chemicals included in the reporting requirement to four chemicals belonging in the class of ortho-phthalates and any other ortho-phthalate identified and listed as a chemical of high concern by the Department of Environmental Protection after this legislation takes effect. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1203 An Act To Increase Transparency in Cooperative Agreements within the Veto Sustained
Department of Agriculture, Conservation and Forestry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C SAVIELLO T	OTP-AM	H-418

This bill amends the law governing cooperative agreements and arrangements entered into by the Department of Agriculture, Conservation and Forestry for the purpose of controlling diseases of plants and domestic animals and advertising or disseminating information concerning Maine food products. This bill requires the department to:

1. Provide public notice of each proposed cooperative agreement or arrangement;
2. Solicit public comments and provide responses regarding proposed cooperative agreements or arrangements;
3. Consider requests submitted in writing to decline to receive future funding from a cooperative agreement or arrangement; and
4. Report annually to the joint standing committee of the Legislature having jurisdiction over agricultural matters regarding the cooperative agreements and arrangements entered into during the previous fiscal year.

Under the bill, the joint standing committee of the Legislature having jurisdiction over agricultural matters may schedule a public hearing on any cooperative agreement or arrangement about which the committee has questions.

Committee Amendment "A" (H-418)

This amendment removes the requirements in the bill that the Department of Agriculture, Conservation and Forestry provide public notice of each cooperative agreement or arrangement, solicit public comments, provide responses to public comments and consider requests submitted in writing to decline to receive future funding from a cooperative agreement or arrangement. It also changes the requirement to report to the joint standing committee of the Legislature having jurisdiction over agricultural matters regarding the cooperative agreements and arrangements entered into from an annual requirement to a biennial requirement. The amendment also requires the department to post on its publicly accessible website a description of each cooperative agreement or arrangement entered into during the previous fiscal year, including the expected benefits to the State, the department, the regulated community and the public.