

# 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*

- 11. Authorizes the commission to require that a biological sample, instead of a blood sample, of a horse be taken to test for prohibited substances;
- 12. Reduces redundant reporting;
- 13. Provides that if the executive director of the State Harness Racing Commission or the commission determines that any of the criteria for race date awards have not been met by a licensee, the executive director must submit a notice of the deficiency to the licensee, regardless of whether the deficiency resulted in the denial of the application for or the refusal to award race dates. A copy of this notice must also be submitted at the same time to the joint standing committee of the Legislature having jurisdiction over agriculture matters; and
- 14. Clarifies the rule-making authority of the State Harness Racing Commission regarding oversight and allocation of trust account funds.

Public Law 2017, chapter 231 was enacted as an emergency measure effective June 19, 2017.

**LD 1574      Resolve, To Require Greater Clearing of Vegetation along Portions of      CARRIED OVER**  
**Route 161 in the Town of Allagash**

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

This resolve directs the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to contract with third parties to cut back vegetation 20 feet from the edges of portions of Route 161 in the Town of Allagash.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1579      An Act To Amend and Add Consistency to the Maine Weights and      PUBLIC 172**  
**Measures Law**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY M	OTP-AM	H-392

This bill requires compliance testing of the net contents of packaged goods to meet the specifications set by the National Conference on Weights and Measures.

This bill reinstates the authority of municipalities to appoint local sealers of weights and measures if they choose to do so. Municipalities may use the state weights and measures program if they opt not to appoint a local sealer.

**Committee Amendment "A" (H-392)**

This amendment does the following:

- 1. Removes the provisions that impose a \$10 fine on municipal officers and clerks who neglect their duties with respect to sealers of weights and measures appointed or elected by those municipal officers; and
- 2. Clarifies that if a municipality chooses not to take advantage of the option to appoint or elect a sealer, or fails to provide notice to the state sealer of such an appointment or election, the state sealer retains jurisdiction and may appoint qualified persons to carry out the state sealer's responsibilities in those municipalities.

*Joint Standing Committee on Agriculture, Conservation and Forestry*

**Enacted Law Summary**

Public Law 2017, chapter 172 requires compliance testing of the net contents of packaged goods to meet the specifications set by the National Conference on Weights and Measures. This bill reinstates the authority of municipalities to appoint local sealers of weights and measures if they choose to do so, and clarifies that if a municipality chooses not to take advantage of the option to appoint or elect a sealer, or fails to provide notice to the state sealer of such an appointment or election, the state sealer retains jurisdiction and may appoint qualified persons to carry out the state sealer's responsibilities in those municipalities.

**LD 1584    An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E HICKMAN C		

This bill requires the Commissioner of Agriculture, Conservation and Forestry to establish a good local foods procurement program to encourage the purchase and sale of foods that are produced and harvested in this State and that are healthy, safe, wholesome, nutritious, affordable, accessible and sustainably produced.

The program, administered by the commissioner, must help farmers and fishermen in this State by increasing demand for and direct purchasing of their products by individuals and institutions with a goal of increasing the sale and purchase of good local foods by 20% no later than 2025 and supporting local economies, farms, fisheries, jobs, nutrition, environmental sustainability and animal welfare. The program also must improve access to good local foods.

The program must increase the purchase of good local foods by public and private institutions in this State, including, but not limited to, primary and secondary schools, colleges and universities, hospitals, jails, community centers serving senior citizens, child care centers, restaurants and grocery stores.

The program must provide education and outreach for the purpose of supporting farms, farmers' markets and community supported agriculture to further the goal of increasing the sale and purchase of good local foods.

The program must improve access to good local foods for recipients of food supplement program benefits. The commissioner must expand opportunities for farmers to sell good local foods to recipients of food supplement program benefits by promoting the use of electronic benefits transfer cards at farmers' markets and, in partnership with a statewide federation of farmers' markets, encouraging participation in community supported agriculture by recipients of food supplement program benefits. The commissioner must assist farmers' markets in accepting payments through the electronic benefits transfer system by helping them secure scanners and equipment, including equipment that does not require the use of electricity for locations that do not have access to electricity, for processing payments through the electronic benefits transfer system. The commissioner, in partnership with the Commissioner of Health and Human Services, must educate recipients of food supplement program benefits of the opportunity to use the benefits at farmers' markets and the advantages of such use.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.