

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> 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

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**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

128<sup>TH</sup> 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 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> 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 1127    An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks    Died On Adjournment**

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

This bill was reported out of committee in the First Regular Session to the Second Regular Session of the 128th Legislature and then carried over 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 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.

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

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

This resolve was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

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.

**LD 1584    An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement    PUBLIC 437**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| VITELLI E<br>HICKMAN C | OTP-AM                  | S-391                     |

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

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

## *Joint Standing Committee on Agriculture, Conservation and Forestry*

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.

### **Committee Amendment "A" (S-391)**

This amendment strikes and replaces the bill.

This amendment directs the Commissioner of Agriculture, Conservation and Forestry to establish and promote a local foods procurement program with the goal of increasing the percentage of local foods procured by state institutions to 20% of all food and food products procured by 2025. The program does not apply to local schools.

The amendment also directs the commissioner to establish guidelines to assist state institutions in assessing their ability to procure local foods while minimizing costs, provide education and outreach for the purpose of supporting farms, farmers' markets, community supported agriculture and seafood providers to increase the sale and purchase of local foods and improve access to local foods for recipients of benefits of any food supplement program administered by the Department of Health and Human Services.

The amendment directs the commissioner to adopt major substantive rules to implement the local foods procurement program and to report on the progress towards reaching the local food procurement goal in the Department of Agriculture, Conservation and Forestry's biennial report.

The amendment also adds an appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2017, chapter 437 directs the Commissioner of Agriculture, Conservation and Forestry to do the following:

1. Establish and promote a local foods procurement program with the goal of increasing the percentage of local foods procured by state institutions to 20% of all food and food products procured by 2025. The program does not apply to local schools;
2. Establish guidelines to assist state institutions in assessing their ability to procure local foods while minimizing costs, provide education and outreach for the purpose of supporting farms, farmers' markets, community supported agriculture and seafood providers to increase the sale and purchase of local foods and improve access to local foods

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for recipients of benefits of any food supplement program administered by the Department of Health and Human Services;

- 3. Adopt major substantive rules to implement the local foods procurement program; and
- 4. Report on the progress towards reaching the local food procurement goal in the Department of Agriculture, Conservation and Forestry's biennial report.

**LD 1611      An Act To Protect Persons Who Cultivate, Process, Buy and Sell Hemp**

**Accepted Majority  
(ONTP) Report**

| <u>Sponsor(s)</u>         | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------------|-------------------------|---------------------------|
| MIRAMANT D<br>SANDERSON D | ONTP<br>OTP-AM          |                           |

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill establishes an industrial hemp pilot program under which educational institutions of higher learning and others are allowed to plant, grow, harvest, process, possess, transport, purchase, sell and distribute industrial hemp for research purposes under a license issued by the Department of Agriculture, Conservation and Forestry. The department is required to adopt rules to certify and register sites and license activities related to industrial hemp and to license industrial hemp producer collectives. The rules must address testing procedures and standards, an industrial hemp certified seed program, pollen drift and feral hemp and allow for hemp production indoors, outdoors and in greenhouses.

This bill allows licensees to use industrial hemp clones. It requires the department to encourage collaboration with other states' educational institutions of higher learning and state departments of agriculture. It also prevents industrial hemp from being listed as a primary or secondary noxious-weed seed. It creates a civil violation for a person or entity that violates the new provision.

**Committee Amendment "A" (S-357)**

This amendment is the minority report of the committee.

The amendment adds an appropriations and allocations section and changes the beginning date of the Department of Agriculture, Conservation and Forestry's annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters to January 15, 2019.

**LD 1647      Resolve, Authorizing Certain Land Transactions by the Bureau of Parks  
and Lands within the Department of Agriculture, Conservation and  
Forestry**

**RESOLVE 29  
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP-AM                  | S-343                     |

This resolve was reported out of committee in the First Special Session of the 128th Legislature.

This resolve authorizes the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to exchange land along Main Street, Route 164, in the Town of Washburn for a nearby piece of land in order to improve the safety of recreational travel on certain state-owned trails used for motorized recreation and allow the