

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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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STATE OF MAINE

128TH 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 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th 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 1739 Resolve, Authorizing the Lease of the Colonial Pemaquid State Historic Site

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D DEVIN M	ONTP OTP-AM	

This resolve authorizes the lease of certain property associated with the Colonial Pemaquid State Historic Site from the State to the Friends of Colonial Pemaquid to be used for historic preservation and to be open to the public for recreation and education purposes. The lease agreement must require that the property and historical collections be used exclusively for historic preservation and public education purposes.

Committee Amendment "A" (S-358)

This amendment is the minority report of the committee.

This amendment incorporates a fiscal note.

LD 1747 Resolve, To Establish a Task Force To Examine Agricultural Issues

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	OTP-AM OTP-AM ONTP	S-388 H-690 DUNPHY M

This resolve establishes the Task Force To Examine Agricultural Issues to examine the barriers to economic prosperity in rural parts of the State, how innovation, infrastructure and technology may play a role in long-term, sustainable rural success, the potential impact of requiring State facilities to use a certain percentage of biofuel, and the potential impact that the consolidation of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation has had on agricultural issues in this State.

The task force's membership consists of eight legislators, the Commissioner of Agriculture, Conservation and Forestry or his designee, the Director of the Bureau of General Services or his designee, two public members representing blueberry harvesters, and one public member representing forest products landowners.

The task force is required to submit a report including findings and recommendations to the First Regular Session of the 129th Legislature.

Committee Amendment "A" (S-388)

This amendment is the majority report of the committee. This amendment strikes and replaces the bill and changes the title.

The amendment directs the Commissioner of Agriculture, Conservation and Forestry to convene a departmental task force to study agricultural issues in the State and invite representatives and farmers from agricultural organizations and industries to participate in the task force, including an economist from the University of Maine Cooperative Extension Service to serve as the chair of the task force.

The amendment removes from the task force's original duties the requirement to examine the effect of the consolidation of the former Department of Agriculture, Food and Rural Resources and the Department of

Joint Standing Committee on Agriculture, Conservation and Forestry

Conservation, and adds to the task force's duties the duty to examine the effect of international trade policy on state agricultural commodities and the recommendations presented in the 2003 Blaine House Conference on Maine's Natural Resource-based Industry: Charting a New Course report.

The amendment requires the Department of Agriculture, Conservation and Forestry to provide staff support to the task force, and requires the Commissioner of Economic and Community Development and the Chief Executive Officer of the Finance Authority of Maine to designate a representative to serve as a resource to the task force.

The task force is required to submit a report including findings and recommendations to the First Regular Session of the 129th Legislature.

Committee Amendment "B" (S-389)

This amendment is the minority report of the committee.

This amendment narrows the task force's duties to the effect that the consolidation of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation has had on agricultural issues in this State and requires that one of the public members represent potato farmers.

House Amendment "A" To Committee Amendment "A" (H-690)

This amendment amends Committee Amendment "A" by removing the requirement that the Commissioner of Agriculture, Conservation and Forestry convene a departmental task force and invite representatives to participate in the task force. Instead, the amendment establishes the Task Force To Examine Agricultural Issues, as a legislative study, and gives appointing authority to the President of the Senate and the Speaker of the House of Representatives. The amendment does not change the membership of the task force and it provides that members of the task force are not entitled to reimbursement for their expenses.

LD 1766 An Act To Improve Marketing Efficiency in the Harness Racing Industry by Requiring Its Promotion by the State Harness Racing Commission and by Repealing the Harness Racing Promotional Board

PUBLIC 371

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE D	OTP-AM	H-652

This bill adds promotion of harness racing to the existing responsibilities of the State Harness Racing Commission.

The bill also repeals the Harness Racing Promotional Board and transfers the funds held by the board to the Harness Racing Promotional Fund, which will be administered by the State Harness Racing Commission and used to promote harness racing.

Committee Amendment "A" (H-652)

This amendment requires that the funds in the Harness Racing Promotional Fund be used solely for the marketing and promotion of harness racing and requires the State Harness Racing Commission to invite input on the marketing and promotion of harness racing in this State from a statewide association of harness horsemen, a statewide association of Standardbred breeders, a statewide association of agricultural fairs and persons who are members of organizations representing the interests of commercial harness racing tracks and off-track betting facilities.

The amendment also requires the State Harness Racing Commission, in its annual report, to include an account of the commission's operations and actions regarding the promotion of harness racing, a summary of income and expenses of the Harness Racing Promotional Fund, including any receipts and disbursements, and an assessment of the economic condition of the harness racing industry in this State. The amendment also changes the beginning date