

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<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 2019

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# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
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## 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 129<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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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***

The law changes the term in Maine law "industrial hemp" to "hemp" and defines "hemp" to match the definition of "hemp" in the federal Agriculture Improvement Act of 2018. The law also clarifies that the definition of "hemp" includes commodities and products derived from hemp, including food, food additives and food products, and that it does not include medical marijuana as governed by the Maine Medical Use of Marijuana Act or adult use marijuana as governed by the Marijuana Legalization Act.

Public Law 2019, chapter 12 was enacted as an emergency measure effective March 27, 2019.

**LD 643      An Act To Provide Funding to Municipalities Severely Affected by Pest Infestations      Accepted Majority (ONTP) Report**

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

This bill authorizes the Commissioner of Health and Human Services, in consultation with the State Entomologist, to identify pests, such as browntail moths and ticks, in this State that pose a risk of significant harm to human health, and to undertake measures to manage those pests.

The bill also establishes the Maine Harmful Pest Management Fund to provide funds to municipalities severely infested with harmful pests, to be used in mitigating the infestations. It also provides \$500,000 to the fund.

**Committee Amendment "A" (H-341)**

This amendment, which is the minority report, requires the Commissioner of Health and Human Services instead of the Commissioner of Agriculture, Conservation and Forestry, in consultation with the State Entomologist, to identify pests, such as browntail moths and ticks, in this State that pose a risk of significant harm to human health, and to undertake measures to manage those pests. It also changes the percentage of funds used for mitigation of infestation in residential properties to be the same as is used for mitigation of infestation in publicly owned properties.

The amendment also establishes the Maine Harmful Pest Management Fund within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Public Health and Emergency Preparedness to provide funds to municipalities severely infested with harmful pests, to be used in mitigating the infestations.

The amendment specifies that a municipality is required to use 50 percent of the funding, rather than 75 percent as proposed in the bill, to mitigate infestation of residential properties in the municipality where persons with health conditions that can be exacerbated by the infestation reside and who are unable to pay for treatment of the infestation. The amendment also specifies that a municipality is required to use the other 50 percent of the funding, rather than 25 percent as proposed in the bill, to mitigate infestation of publicly owned properties in the municipality.

This amendment was not adopted.

**LD 723      An Act To Enhance Resource Management of Submerged Lands beneath Impounded Waters      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D MIRAMANT D	ONTP	

*Joint Standing Committee on Agriculture, Conservation and Forestry*

This bill provides that all lands beneath the mean low-water mark of waters impounded prior to January 1, 1997 are state-owned submerged lands held in trust for the benefit of the people of Maine.

**LD 782      An Act Relating to Animals in Pulling Events      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M MCCREA D	ONTP	

This bill prohibits a person handling or responsible for an animal in a pulling event from using on the animal any technique, force or method of preparing the animal for pulling that subjects the animal to pain, fear or undue stress, including but not limited to electric shock, physical punishment or artificial sweating to achieve weight. A person who engages in that activity is banned from participating in pulling events for one year for the first offense and permanently for a second offense.

**LD 785      Resolve, Directing the Board of Pesticides Control To Educate the Public      INDEF PP**  
**on the Proper Use of Pesticides and To Promote Integrated Pest Management**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK R DUNPHY M		

This resolve was not referred to committee.

This resolve requires the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to develop and disseminate to the public educational materials that promote the proper use of pesticides and promote integrated pest management.

**LD 786      An Act To Reduce Hunger and Promote Maine Agriculture      PUBLIC 514**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HICKMAN C	OTP-AM	S-81 S-331 BREEN C

This bill provides an appropriation to allow the Department of Agriculture, Conservation and Forestry to contract with a nonprofit organization that provides statewide hunger relief services to allow that organization to:

1. Engage in statewide hunger relief services, including, but not limited to, the purchase of food from Maine food producers and processors;
2. Provide grants to local hunger relief programs; and
3. Pay its operational and distribution expenses.

**Committee Amendment "A" (S-81)**

This amendment decreases the ongoing annual General Fund appropriation to the Department of Agriculture, Conservation and Forestry for statewide hunger relief services from \$2,500,000 to \$1,500,000.