

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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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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 129th 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 129th 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

This bill moves the Maine Library of Geographic Information, the Geolibrary, from the Department of Administrative and Financial Services to the Department of Agriculture, Conservation and Forestry and establishes the Maine Library of Geographic Information Board in the Department of Agriculture, Conservation and Forestry to administer the Geolibrary.

This bill adds a Geolibrarian and a GIS information officer, appointed by the Commissioner of Agriculture, Conservation and Forestry, to the staff of the Maine Library of Geographic Information, to collect, perserve and disseminate data, manage funds and direct the Geolibrary's activities.

The bill repeals language allowing the administrator of the Office of Geographic Information Systems to enter into agreements with other agencies and to accept funds from public and private organizations, repeals language describing licensing agreement and fee requirements for geographic information system data and repeals language allowing the Maine Library of Geographic Information Board to hear and resolve disputes related to geographic information system data.

Committee Amendment "A" (S-261)

This amendment makes changes to the composition of the Maine Library of Geographic Information Board. The amendment adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

LD 1726 An Act To Penalize Violators of Wood Shipment and Quarantine Laws CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK R HICKMAN C		

This bill provides for penalties for violation of Department of Agriculture, Conservation and Forestry, Bureau of Forestry rules governing plant or wood products that may cause the introduction or spread of a dangerous forest insect or disease and rules governing the quarantine of forest or shade trees or part of a forest or shade tree capable of supporting a disease or insect infestation.

The bill sets fines at \$100 to \$1,000 for each day of a violation and from \$1,000 to \$2,000 for each day of a violation by a violator that violated the rules within the previous five-year period. It allows maximum fines to be increased to account for economic benefit and provides for the award of litigation costs in any action or proceeding brought by the Attorney General.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 1728 An Act To Align the Harness Racing Laws with Current Policies PUBLIC 283
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN D DILL J	OTP	

This bill allows for the disqualification of horses participating in harness racing that are found in violation of the laws and rules governing prohibited substances and allowable levels of permitted medication and allows for the

Joint Standing Committee on Agriculture, Conservation and Forestry

forfeiture of any purses won by horses in violation of those laws and rules. It also removes language that requires the Department of Agriculture, Conservation and Forestry to provide a booklet containing harness racing laws and rules to harness racing licensees and instead requires the department to provide public access to those laws and rules.

Enacted Law Summary

Public Law 2019, chapter 283 allows for the disqualification of horses participating in harness racing that are found in violation of the laws and rules governing prohibited substances and allowable levels of permitted medication and allows for the forfeiture of any purses won by horses in violation of those laws and rules. It also removes language that requires the Department of Agriculture, Conservation and Forestry to provide a booklet containing harness racing laws and rules to harness racing licensees and instead requires the department to provide public access to those laws and rules.

Public Law 2019, chapter 283 was enacted as an emergency measure effective June 13, 2019.

LD 1747 An Act To Strengthen Maine's Hemp Program

INDEF PP

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

This bill was not referred to committee.

The federal Agricultural Act of 2014, also known as the 2014 Farm Bill, legalized the growth and cultivation of hemp in states that choose to establish agricultural pilot programs for research purposes.

This bill requires the Commissioner of Agriculture, Conservation and Forestry to establish, by rule, the Maine Hemp Pilot Program, including the application process, licensing fees and reporting requirements, consistent with the 2014 Farm Bill. Under the pilot program, a licensee may plant, grow, harvest, possess, process, sell and buy hemp as long as the purpose of the program is to study the growth, cultivation or marketing of hemp. An institution of higher education is also authorized to establish a pilot program that complies with the 2014 Farm Bill as long as it provides notice of its intention to the Department of Agriculture, Conservation and Forestry and local law enforcement and an annual report to the department regarding its research.

This bill also expressly authorizes marijuana manufacturing facilities and testing facilities licensed under the Maine Medical Use of Marijuana Act and the Marijuana Legalization Act to obtain a license to process and test hemp and hemp-derived products that are legal under state and federal law.

Finally, this bill amends the recently enacted law that provides that food, food additives and food products containing hemp-derived cannabidiol are not considered to be "adulterated" under state law to require the Department of Health and Human Services and the Department of Agriculture, Conservation and Forestry to adopt routine technical rules regarding testing, labeling, packaging and record-keeping requirements for food, food additives or food products that contain hemp, including cannabidiol derived from hemp, and to also provisionally adopt emergency major substantive rules doing the same.