

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

November 2020

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STATE OF MAINE
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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 Special and Second Regular Sessions 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 Special Session of the 129th Legislature is Monday, November 25, 2019 and for non-emergency legislation enacted in the Regular Session of the 129th Legislature, Tuesday, June 16, 2020. 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

character capable of supporting a disease or insect infestation from a Class E crime to a civil violation and 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.

LD 1770 An Act To Amend the Forestry Laws Regarding Responsibility for Compliance with Those Laws ONTP

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

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

The bill clarifies in the laws governing forest practices and forest landowner and wood processor reporting requirements that the parties responsible for compliance with those laws include the landowner, the landowner's designated agent, the professional forester, the professional forester's employee and the person who conducts timber harvesting activities.

LD 1788 An Act To Eliminate Online Burn Permit Fees for All Areas of the State CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J	OTP-AM	S-395

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill eliminates online burn permit fees for all areas of the State.

Committee Amendment "A" (S-395)

This amendment clarifies that a person may not be charged a fee to obtain an online burn permit.

The amendment also allows a vendor or owner of a private party burn permit software system to charge a municipality for use of private party burn permit software.

The amendment also adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1888 An Act To Protect Children from Toxic Chemicals CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAMLICH L CARSON B		

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill bans the use of nonselective herbicides, including, but not limited to, glyphosate, within 75 feet of school grounds, public playgrounds and child care centers.

This bill, which had been voted but not yet reported out of committee, was carried over in committee to any special session of the 129th Legislature by joint order, S.P. 788.

LD 1889 An Act To Protect the Products of Maine Farmers

PUBLIC 633

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUDDY S	OTP-AM	H-726

This bill allows the Department of Agriculture, Conservation and Forestry to establish procedures for the return of inspected meat, meat products, poultry and poultry products that have been found to be not adulterated but misbranded to the livestock producer or poultry producer that delivered the meat, meat products, poultry or poultry products.

Committee Amendment "A" (H-726)

This amendment strikes the requirement in the bill that the Department of Agriculture, Conservation and Forestry establish procedures for the return to the producer of inspected meat, meat products, poultry or poultry products that have been found to be misbranded but not found to be adulterated and instead requires the department to establish procedures for the disposition of these items.

Enacted Law Summary

Public Law 2019, chapter 633 requires the Department of Agriculture, Conservation and Forestry to establish procedures for the disposition of inspected meat, meat products, poultry and poultry products that have been found to be misbranded but not found to be adulterated.

LD 1893 An Act To Require a Lease of Public Lands To Be Based on Reasonable Market Value and To Require Approval of Such Leases for Commercial Purposes

CARRIED OVER

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

This bill requires that any lease of public lands by the State be at reasonable market value and be approved by the Legislature pursuant to the Constitution of Maine, Article IX, Section 23. The bill requires the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to submit a lease of public lands for commercial purposes to the joint standing committee of the Legislature having jurisdiction over public lands matters for approval, amendment or disapproval by the committee. The joint standing committee must submit its recommendation to the Legislature for approval. If the Legislature does not approve the lease, the bureau may not enter into the lease.

The bill also requires the Director of the Bureau of Parks and Lands to examine all leases of public reserved lands entered into by the State since January 1, 2014 to determine whether those leases are in compliance with these requirements. The director is required to report the findings of this examination, including any recommendations for action on noncompliant leases, to the Joint Standing Committee on Agriculture, Conservation and Forestry no