

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

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

December 2021

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

LD 30 Resolve, Authorizing the Director of the Bureau of Parks and Lands To Convey a Parcel of Land in Augusta to the Maine Veterans' Homes

ENACTED LAW SUMMARY

Resolve 2021, chapter 6 authorizes the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to transfer state property to the Maine Veterans' Homes. In addition, as required by Resolve 1989, chapter 29 and the deed to the Maine Veterans' Homes, the resolve grants approval to the Maine Veterans' Homes to sell its structure with the land it is located on at the corner of Cony Road and Piggery Road in Augusta, County of Kennebec.

LD 33 Resolve, Directing the Department of Agriculture, Conservation and Forestry To Seek Input from Stakeholders on the State's Hemp Program

ENACTED LAW SUMMARY

Resolve 2021, chapter 32 directs the Department of Agriculture, Conservation and Forestry to meet with and seek input from stakeholders on the United States Department of Agriculture Domestic Hemp Production Program requirements. The resolve directs the department to study and monitor other state hemp programs, including states that are following federal hemp program regulations and those that are not in compliance with federal hemp program regulations. The resolve directs the department to submit a report, with findings and recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than December 15, 2021 and gives the joint standing committee authority to submit a bill to the 130th Legislature relating to the subject matter of the report.

LD 34 An Act To Create the Maine Forestry Operations Cleanup and Response Fund

ENACTED LAW SUMMARY

Public Law 2021, chapter 63 establishes the Maine Forestry Operations Cleanup and Response Fund, a nonlapsing, dedicated revenue fund for the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to use to mitigate and remediate water quality violations that result from timber harvesting activities and that require immediate action to prevent or minimize further damage to waters of this State. The fund is replenished by financial penalties, permit fees and other charges associated with timber harvesting, up to a limit of \$20,000.

The law provides that the Maine Forestry Operations Cleanup and Response Fund may be disbursed only to pay the costs, including without limitation payments to contractors undertaking physical mitigation and remediation activities, involved in the control of sediment and water flow, the abatement of pollution and the implementation of remediation activities.

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The law requires the Director of the Bureau of Forestry, prior to undertaking mitigation or remediation activities that will result in use of the fund, to use all reasonable efforts to notify the responsible party of mitigation and remediation activities needed and to provide a reasonable time frame for the responsible party to implement those activities.

The law allows the bureau to recover costs incurred through the use of this fund and to place a lien on a property when the responsible party is unwilling or unable to repay such costs. The law also requires the director to notify the responsible party that a lien may be imposed on real estate owned by the responsible party if the department undertakes mitigation and remediation activities that will result in the use of the fund.

LD 36 An Act To Amend the Definition of “Timber Harvesting”

ENACTED LAW SUMMARY

Public Law 2021, chapter 30 amends the definition of "timber harvesting" to clarify that timber harvesting means any cutting or removal of trees or forest products that when cut or removed are transported to a roundwood processing operation. The law further clarifies that, for purposes of the laws governing forest practices, timber harvesting does not include reclaiming trees, logs or bark left over from timber harvesting or other operations, including but not limited to retrieving submerged timbers from log drives or bark from bark piles. The law also adds bark to the definition of "forest products" and log yards and bark processors to the definition of "roundwood processing operation" in the laws governing forest landowner and wood processor reporting requirements.

Public Law 2021, chapter 30 was enacted as an emergency measure effective April 7, 2021.

LD 63 An Act Regarding the Northeastern Interstate Forest Fire Protection Compact

ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 6 extends liability protection for the State and firefighters who travel to fight wildfires or other emergencies outside of the Northeastern Interstate Forest Fire Protection Compact area. Currently, all the New England states, New York and the Canadian provinces of Quebec, Newfoundland and Labrador and the Maritimes make up the Northeastern Interstate Forest Fire Protection Compact.

Private and Special Law 2021, chapter 6 was enacted as an emergency measure effective June 11, 2021.