

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR SESSION AND FIRST SPECIAL SESSIONS



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

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

October 2023

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STATE OF MAINE
131ST LEGISLATURE
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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature’s webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. 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 and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, 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 8 An Act to Increase Support for the Modernization of the Board of Pesticides Control by Increasing the Annual Pesticide Registration Fee

ENACTED LAW SUMMARY

Public Law 2023, chapter 22 increases the annual fee to register a pesticide within the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control from \$160 to \$215.

LD 24 An Act to Prohibit Certain Open Burning Under a Red Flag Warning and Regulate Recreational Campfires

ENACTED LAW SUMMARY

Public Law 2023, chapter 56 prohibits the director of the Bureau of Forestry, within the Department of Agriculture, Conservation and Forestry, from issuing a permit or other permission for open burning to take place in a geographic area subject to a red flag warning. The law provides an exception for wild blueberry growers by allowing the director or director's delegate to issue a permit for a controlled burn on a commercially managed wild blueberry field in a geographic area subject to a red flag warning as long as the application for the permit includes a prescribed burn plan approved by the issuing authority.

The law requires the director or the director's delegate to revoke a permit for open burning in a geographic area in which a red flag warning is in effect, except that the director or the director's delegate is not required to revoke a permit for a controlled burn on a commercially managed wild blueberry field during the period in which a red flag warning is in effect if the permit includes an approved prescribed burn plan.

The law clarifies that a red flag warning is a forecast warning issued by the United States Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service in consultation with the Bureau of Forestry.

The law prohibits a person who kindles or uses a recreational campfire from allowing the recreational campfire to exceed 3 feet in diameter on the ground at the base of the fire or 3 feet in height; the law exempts a licensed camp facility from this prohibition.

The law prohibits open burning, both permissible open burning with a permit and permissible open burning without a permit, during the period in which a red flag warning is in effect; the law exempts from this prohibition open burning without a permit at a licensed camping facility and at campsites under the jurisdiction of the Department of Agriculture, Conservation and Forestry or the Baxter State Park Authority, as long as the campsite and the use of out-of-door fires and charcoal and gas grills at the campsite comply with department rules.