

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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STAFF:

KAREN S. NADEAU, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla>

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.

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LD 1770 Resolve, Directing the Board of Pesticides Control to Transition to Electronic Submission of Pesticide Sales and Use Data

ENACTED LAW SUMMARY

Resolve 2023, chapter 71 directs the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control to adopt any rules necessary to implement the transition from paper to electronic format of reports required to be submitted to the board pursuant to the Maine Revised Statutes, Title 22, section 1471-G. The board is required to implement a system of electronic data collection that is efficient for those required to submit reports to the board, namely pesticide dealers, commercial applicators and spray contracting firms, and useful to the board and members of the public.

LD 1849 An Act to Ensure Fair and Timely Payment in the Harvesting of Forest Products

ENACTED LAW SUMMARY

Public Law 2023, chapter 357 requires an entity that contracts with a person to harvest wood and place the wood roadside so that the entity is able to have the wood hauled away for use or processing to pay the person within 30 days of the person's fulfilling the contract and placing the wood roadside. The law also requires the Department of Agriculture, Conservation and Forestry or a wood scaler under contract with the department to conduct random inspections to ensure that entities are complying with this requirement.

LD 1874 An Act to Support Maine Loggers' and Truckers' Right to Work in Maine by Improving Labor Standards

ENACTED LAW SUMMARY

Public Law 2023, chapter 380 provides that the Department of Agriculture, Conservation and Forestry may obtain certification from a forest certification program for state land only if the program contains certain performance-based indicators that protect forest workers and the program does not require payment to a trade association that is registered with the Commission on Governmental Ethics and Election Practices.

LD 1881 An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 448 directs the Department of Environmental Protection to establish a solar energy compensation program. The program requires a person who obtains approval under

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the Site Location of Development law in Title 38, also known as Site Law, to construct or cause to be constructed a solar energy development located on high-value agricultural land to pay a compensation fee or other form of compensation for any portion of the development, including associated facilities, that is located on high value agricultural land. The law requires the Department of Environmental Protection, in consultation with the Department of Agriculture, Conservation and Forestry, to calculate the compensation fee for solar energy development that is located on high-value agricultural land.

The law also requires the Department of Environmental Protection to establish a compensation fee program to fund a compensation project as an alternative means of satisfying requirements related to off-site habitat improvement or preservation that the department determines necessary to mitigate the adverse effects of renewal energy development on wildlife and fisheries habitat to comply with Site Law.

The law directs the Department of Agriculture, Conservation and Forestry to initiate major substantive rulemaking to define terms such as “high-value agricultural land” and “dual-use agricultural and solar production” and the Department Environmental Protection to initiate major substantive rulemaking to establish a compensation fee program to accept and administer compensation fees under the Maine Revised Statutes, Title 38, sections 484-C and 484-D and to define "wildlife and fisheries habitats" under Title 38, section 484-D, subsection 1, which must include but not be limited to large undeveloped habitat blocks, important wildlife corridors and other habitat types identified in consultation with the Department of Inland Fisheries and Wildlife.

The law also provides that a person may not construct, cause to be constructed or operate a solar energy development without a permit from the Department of Agriculture, Conservation and Forestry. The law defines “solar energy development” as a development that uses ground-mounted solar arrays and installations to convert solar energy to electrical energy; occupies 5 acres or more; and is wholly or partially located on high-value agricultural land. This requirement applies to solar energy developments on which construction begins after September 1, 2024.

LD 1930 Resolve, to Authorize the Exchange of Interest in Certain Lands Owned by the State in Piscataquis County

ENACTED LAW SUMMARY

Resolve 2023, chapter 50 authorizes the exchange of interest in certain state-owned land in Piscataquis County. The law provides that the cost of a survey of the property boundaries and recording costs may not be paid by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.