

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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Joint Standing Committee on Agriculture, Conservation and Forestry

LD 4 An Act To Promote Industrial Hemp

**PUBLIC 202
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON HAMPER	OTP-AM	H-41

This bill removes the requirements that an applicant for an initial license to grow industrial hemp for commercial purposes must submit a set of the applicant's fingerprints and file with the Commissioner of Agriculture, Conservation and Forestry documentation indicating that the seeds planted were a type and variety of hemp approved by the commissioner. The bill also repeals the provision that licensure is contingent upon action by the federal government.

This bill requires that any hemp seeds acquired for cultivation of hemp in the State must come from an approved Canadian producer of hemp seeds. The bill allows the commissioner to issue licenses for hemp seed distribution to holders of seed labeling licenses. The bill also allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a State-licensed hemp seed distributor. The bill requires that application fees and license fees must be established by major substantive rules. The bill also includes an appropriations and allocations section.

Committee Amendment "A" (H-41)

This amendment adds an emergency preamble and emergency clause to the bill.

The amendment provides that hemp seeds acquired for cultivation of hemp in the State may come from any certified seed source rather than only approved Canadian producers of hemp seeds. The amendment provides that rules adopted by the Department of Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 7, section 2231 are routine technical rules. The amendment includes the addition of per acre fees for monitoring, sampling and testing and establishes a range and cap for all fees established by the Commissioner of Agriculture, Conservation and Forestry related to industrial hemp production. The amendment also replaces the appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 202 removes the requirements that an applicant for an initial license to grow industrial hemp for commercial purposes must submit a set of the applicant's fingerprints and file with the Commissioner of Agriculture, Conservation and Forestry documentation indicating that the seeds planted were a type and variety of hemp approved by the commissioner and also repeals the provision that licensure is contingent upon action by the federal government.

Public Law 2015, chapter 202 provides that any hemp seeds acquired for cultivation of hemp in the State may come from any certified seed source. It allows the commissioner to issue licenses for hemp seed distribution to holders of seed labeling licenses and allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a state-licensed hemp seed distributor. It requires that application fees and license fees must be established by routine technical rules, includes the addition of per acre fees for monitoring, sampling and testing and establishes a range and cap for all fees established by the commissioner related to industrial hemp production.

Public Law 2015, chapter 202 was enacted as an emergency measure effective June 16, 2015.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 39 Resolve, To Require a Review of the Merger That Resulted in the ONTP
Department of Agriculture, Conservation and Forestry

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB P	ONTP	

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to establish a task force to review the effects of the merger of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation, including the bureaus and divisions within those departments, into the Department of Agriculture, Conservation and Forestry, pursuant to Public Law 2011, chapter 657 and Public Law 2013, chapter 405. In performing the review, the task force is required to determine whether the merged department has continued to provide the services formerly provided by the former departments at the same or a better level while attaining budgetary savings. Based on the review, this resolve requires the task force to report its findings and any necessary implementing legislation during the Second Regular Session of the 127th Legislature.

LD 119 An Act To Allow for the Cultivation of Hemp ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT SANDERSON	ONTP	

This bill eliminates the requirement that issuance of a license for industrial hemp cultivation is contingent upon one of the following actions by federal government:

1. The United States Congress excludes industrial hemp from the definition of "marihuana" for the purpose of the Controlled Substances Act, 21 United States Code, Section 802(16); or
2. The United States Department of Justice, Drug Enforcement Administration takes affirmative steps towards issuing a permit under 21 United States Code, Chapter 13, Subchapter 1, Part C to a person holding a license issued by a state to grow industrial hemp.

LD 202 Resolve, Regarding Legislative Review of Portions of Chapter 22: RESOLVE 5
Standards for Outdoor Application of Pesticides by Powered Equipment EMERGENCY
in Order To Minimize Off-target Deposition, a Major Substantive Rule
of the Department of Agriculture, Conservation and Forestry, Board of
Pesticides Control

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

This resolve provides for legislative review of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2015, chapter 5 provides that final adoption of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 5 was finally passed as an emergency measure effective March 29, 2015.

**LD 203 Resolve, Regarding Legislative Review of Portions of Chapter 28:
Notification Provisions for Outdoor Pesticide Applications, a Major
Substantive Rule of the Department of Agriculture, Conservation and
Forestry, Board of Pesticides Control**

**RESOLVE 6
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Enacted Law Summary

Resolve 2015, chapter 6 provides that final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 6 was finally passed as an emergency measure effective March 29, 2015.

**LD 207 An Act To Amend the Maine Commercial Fertilizer Law and the Maine
Agricultural Liming Materials Act**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE WHITE	ONTP	

This bill changes the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act to eliminate the fee of \$1 per ton on commercial fertilizers and agricultural liming materials.

The bill directs the Commissioner of Agriculture, Conservation and Forestry to distribute 50 percent of the remaining funds collected from those fees to pay for improvements to Maine's facilities at the Eastern States Exposition in Massachusetts and to distribute 50 percent of the remaining funds collected from those fees to the Maine Potato Board to be used as matching funds for a federal soil health and water quality project.

**LD 229 An Act To Exempt Small Raw Milk Producers from Licensing
Requirements**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY WOODSOME	ONTP	

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill exempts the sale of raw milk and raw milk products from state licensing requirements under the following circumstances:

1. The sale is by a milk distributor who daily produces for sale less than 20 gallons of raw milk or daily processes less than 20 gallons of raw milk into various dairy products and sells the milk and milk products directly to the consumer from the milk distributor's own farm or farm stand or at a farmers' market within the State;
2. The raw milk and raw milk products are clearly labeled with the name, address and phone number of the milk distributor's farm, the name of the product and the following statement: "This product is made with raw milk and is exempt from State of Maine licensing;" and
3. At the point of sale, a sign is placed that contains the name, address and phone number of the milk distributor's farm and the following statement: "Products from this farm made from raw milk are exempt from State of Maine licensing."

LD 253 An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs PUBLIC 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS LOCKMAN	OTP-AM	S-50

This bill requires all members of a work crew with permission to cut Christmas trees or evergreen boughs on the property of another to possess a copy of the landowner's permission.

Committee Amendment "A" (S-50)

This amendment clarifies that a person with permission to cut Christmas trees or evergreen boughs on land of another must have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

Enacted Law Summary

Public Law 2015, chapter 55 requires a person with permission to cut Christmas trees or evergreen boughs on the property of another to have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

LD 304 An Act To Support Marketing of Maine's Farms and Fisheries ONTP

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

This bill allows the accrued interest in the Agricultural Marketing Loan Fund to be used for competitive grants that would fund feasibility studies or business planning for new infrastructure projects that would support the operation of an agricultural enterprise.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 312 An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NOON DILL	ONTP OTP-AM	

This bill facilitates the direct sales of dairy products that are sold on the same farm on which the product is produced by exempting those sales from state licensing and inspection requirements if certain conditions are met.

Committee Amendment "A" (H-408)

This amendment, which is the minority report, replaces the bill. The amendment establishes a framework for the direct sale of unpasteurized milk and unpasteurized milk products at the milk production facility at which the product is produced by exempting those sales from state licensing and inspection requirements if certain conditions are met.

Specifically, this amendment:

1. Establishes the conditions that must be met before receiving an exemption;
2. Establishes labeling requirements for unpasteurized milk and unpasteurized milk products;
3. Reaffirms that all off-farm sales and wholesale transactions for unpasteurized milk and unpasteurized milk products are required to comply with the state licensing and permit requirements;
4. Establishes that heat-treated cheese must be produced in a licensed and inspected facility; and
5. Defines the term "milk production facility" and replaces the terms "dairy" or "dairy farm" with "milk production facility" in the relevant chapter of law.

LD 316 An Act To Provide a Waiver of Short-term Camping Fees at State-owned Parks, Camping Areas and Beaches for Members of Federally Recognized Indian Tribes in the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR LIBBY	ONTP	

This bill waives camping fees for the once-a-year, overnight stay of a member of a federally recognized Indian tribe in the State, as well as any family member of the tribal member who is with the tribal member, at any one state-owned park, camping area or beach.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 317 An Act To Recognize and Provide for the Right of Access for Members of the Houlton Band of Maliseet Indians To Certain Public Lands in Aroostook County for Traditional Uses ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR LIBBY	ONTP	

This bill permits any member of the Houlton Band of Maliseet Indians who is a resident of the State to collect or harvest wood or wood fiber in Aroostook County on lands owned by the State and uninhabited lands in the unorganized and deorganized areas of the county for the purpose of using the wood or wood fiber for fuel, personal shelter construction or traditional woodcraft production. The bill directs the Commissioner of Agriculture, Conservation and Forestry to adopt rules governing the collection and harvesting of wood or wood fiber by members of the Houlton Band of Maliseet Indians.

LD 335 An Act To Restrict the Sale of Dogs and Cats in Pet Shops Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MONAGHAN GERZOFKY	OTP-AM ONTP	H-275

This bill prohibits a pet shop from selling cats or dogs that have not been born and raised in the pet shop. The prohibition does not apply to a public or private charitable nonprofit animal shelter, humane society or animal rescue organization, a pet shop where a dog or cat owned by a public or private organization excepted by the law is being offered for adoption or a pet shop that is selling a cat or dog that was born and raised by the owner of the pet shop in a separate facility. The bill provides that the penalty for violating these provisions is \$2,500 and potential revocation of the pet shop's license.

Committee Amendment "A" (H-275)

This amendment, which is the majority report, replaces the bill. The amendment creates a process whereby pet shops are required to attest in writing as to the origin of a cat or dog, which may come only from a public or private charitable nonprofit animal shelter, humane society or animal rescue organization. The amendment provides an exception for existing pet shops, who may also sell or otherwise dispose of a cat or dog from a breeder if the breeder meets certain conditions and the existing pet shop attests to the origin in writing. The amendment also reduces the penalty for a violation from \$2,500 to \$500.

LD 388 An Act Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-297

This bill prohibits the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands from contracting for timber harvesting on land under its management if the contractor uses persons employed under the federal labor certification process for employment of foreign workers in logging for that purpose.

Committee Amendment "A" (H-297)

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This amendment strikes and replaces the bill. The amendment limits timber harvesting on public reserved lands and nonreserved public lands to an average of 141,500 cords per year over any two-year period, which is the sustainable harvesting level determined by an independent timber inventory conducted in 2012. The amendment allows the Department of Agriculture, Conservation and Forestry by rule, based on an independent timber inventory conducted after July 1, 2015, to establish a different sustainable harvest level. The rules are major substantive rules and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

LD 389 An Act Relating to the Sale of Hypodermic Apparatuses

PUBLIC 27

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW EDGECOMB P	OTP	

This bill clarifies that an agricultural supply store may furnish or sell, without limit in number, hypodermic apparatuses to a livestock owner and that the sale by the agricultural supply store and the possession by the person who owns livestock expressly fall within the exceptions to the laws restricting possession and furnishing of hypodermic apparatuses.

Enacted Law Summary

Public Law 2015, chapter 27 clarifies that an agricultural supply store may furnish or sell, without limit in number, hypodermic apparatuses to a livestock owner and that the sale by the agricultural supply store and the possession by the person who owns livestock expressly fall within the exceptions to the laws restricting possession and furnishing of hypodermic apparatuses.

LD 414 An Act To Remove Certain Exemptions to the Laws Concerning Tree Specialists

ONTP

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

This bill eliminates the arborist licensing exemption for highway contractors, subcontractors and their employees who remove trees during the performance of contracts for the construction or maintenance of highways and general contractors who remove interfering shade or ornamental trees or interfering parts of shade or ornamental trees in the conduct of their regular business. This bill also increases the penalty for violating a provision of the laws regarding arborists from up to \$500 per day to up to \$1,000 per day but provides for a warning for a first offense.

LD 456 An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products

PUBLIC 118

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK DILL	OTP ONTP	

This bill exempts nonalcoholic malt beverages from the disclosure requirements of the laws regulating the labeling of genetically engineered products.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2015, chapter 118 exempts nonalcoholic malt beverages from the disclosure requirements of the laws regulating the labeling of genetically engineered products.

LD 457 An Act To Redistribute the Agricultural Fair Support Fund INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER BREEN		

This bill requires that slot machine revenue from the casino located in Oxford County and credited to the Agricultural Fair Support Fund be distributed only to agricultural fairs licensed to accept wagers on harness racing and not to commercial tracks. Current law divides slot machine revenue credited to the Agricultural Fair Support Fund between commercial harness racing tracks and agricultural fairs licensed to accept wagers on harness racing.

This bill was not referred to a committee.

LD 533 An Act To Ensure Humane Conditions for Egg-laying Poultry ONTP

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

This bill provides for humane space standards for all egg-laying poultry that allow the poultry to move freely, with exceptions for specific circumstances.

LD 546 An Act To Assist Individuals To Obtain a Permit To Grow and Sell Water Spinach ONTP

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

This bill requires the Department of Agriculture, Conservation and Forestry to provide information about the proper process for obtaining a federal permit to individuals seeking to grow and sell water spinach in Maine.

LD 547 An Act Regarding Service Dogs ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R SAVIELLO	ONTP	

This bill requires an individual registering a service dog to present to the municipal clerk a letter signed by a physician, psychologist, physician assistant or nurse practitioner indicating that the individual or a member of the individual's household requires the service dog and a certification or other document indicating that the service dog has completed training from an established service animal training organization or has been evaluated by a certified animal trainer and found to have a sound temperament suitable for a service dog. The bill also requires the Department of Agriculture, Conservation and Forestry to ensure that a service dog registration tag clearly indicates that the dog is a service animal and to devise a method of ensuring that a service dog's registration tag is visible to

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the public.

LD 598 An Act To Strengthen the Maine Agriculture Protection Act

PUBLIC 145

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	OTP-AM	H-200

This bill ensures that agricultural composting operations are included in all sections of the Maine Agriculture Protection Act, also commonly known as the right-to-farm law, that protect farms and farm operations.

Committee Amendment "A" (H-200)

This amendment adds manure and compost to the definition of "agricultural products," which is defined for the Maine Agriculture Protection Act.

Enacted Law Summary

Public Law 2015, chapter 145 ensures that agricultural composting operations are included in all sections of the Maine Agriculture Protection Act, also commonly known as the right-to-farm law, that protect farms and farm operations. In addition, it adds manure and compost to the definition of "agricultural products," which is defined for the Maine Agriculture Protection Act.

**LD 653 An Act To Increase Consumption of Maine Foods in All State
Institutions**

ONTP

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

This bill establishes a schedule for the current law that requires state and school purchasers to buy meat, fish, dairy products, excluding milk and eggs, and species of fruits and fresh vegetables directly from Maine food producers or food brokers. The bill establishes a minimum percentage of Maine foodstuffs that must be purchased, requiring at least 15 percent by December 31, 2021, at least 20 percent by December 31, 2026, at least 25 percent by December 31, 2036 and at least 35 percent by December 31, 2037. The bill exempts from the requirements school purchasers at schools participating in the National School Lunch Program. The bill requires competitive bidding when more than one producer, broker or wholesaler can supply a given foodstuff. The bill also strikes the language in current law that excludes milk and eggs from this requirement.

LD 656 An Act To Enhance Forest Ranger Safety

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU CYRWAY	ONTP	

This bill:

1. Repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bulletproof vests, firearms and related equipment and that prohibit the commissioner from purchasing bulletproof vests, firearms or related equipment without specific authorization by the Legislature;

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2. Requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to develop and institute a policy that requires all forest rangers to attend and complete a law enforcement training course at the Maine Criminal Justice Academy as a condition of employment. It provides that a forest ranger who has already attended a law enforcement training course at the Maine Criminal Justice Academy is exempt;
3. Requires the state supervisor of the forest protection unit in the Bureau of Forestry and the Director of the Maine Criminal Justice Academy to develop a plan to provide training to forest rangers in the use of firearms, bulletproof vests and other related equipment. The state supervisor is directed to develop a plan to furnish such firearms and equipment to those forest rangers for the performance of their law enforcement duties; and
4. Requires the state supervisor to submit the plan to furnish such firearms and equipment to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Criminal Justice and Public Safety for review no later than November 1, 2015 and to implement, including furnishing firearms and related equipment, no later than January 1, 2017.

LD 708 An Act To Limit the Use of Pesticides on School Grounds

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY MILLETT	ONTP	

This bill restricts the use of pesticides on school grounds by allowing pesticide usage only in situations that pose a health threat to a student or staff member, in response to the presence of animals or insects identified as a public health nuisance or on agricultural fields in accordance with the manufacturer's instructions. The bill requires the Commissioner of Education to adopt rules to implement landscaping design that minimizes or avoids the necessity of the use of pesticides on school grounds for new construction of school facilities.

LD 709 An Act Regarding the Regulation of Rabbit Production for Local Consumption

ONTP

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

This bill permits rabbit producers to sell rabbit products without inspection at the farm on which the rabbits were raised, at farmers' markets, by delivery to consumers' homes, to community supported agriculture farms with which the rabbit producer has a direct marketing relationship, to locally owned grocery stores and to locally owned restaurants. The bill requires the Commissioner of Agriculture, Conservation and Forestry to adopt rules to establish requirements for the physical facilities and sanitary processes used by rabbit producers whose products are exempt from inspection.

LD 745 An Act To Improve Forest Ranger Safety

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WILLETTE	OTP	

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bulletproof vests, firearms and related equipment and that prohibit the commissioner from purchasing bulletproof vests, firearms or related equipment without specific authorization by the Legislature.

LD 783 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
To Establish a Right to Food

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

This resolution proposes a constitutional amendment to provide that every individual has a natural and unalienable right to food.

This resolution was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 791 An Act To Amend the Laws Governing Wind Energy Development Accepted Majority
Permitting (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON HILL	ONTP OTP-AM	

This bill amends the laws governing the expedited permitting of grid-scale wind energy development by authorizing the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission to add specified places to or remove specified places from the designated wind energy permitting area only if the commission receives the written consent of the owner or owners of the land proposed for addition or removal. The bill repeals the current provision of law governing additions to the area. The bill also changes the terms "expedited permitting area" and "expedited wind energy development" to "designated wind energy permitting area" and "designated wind energy development," respectively.

Committee Amendment "A" (H-375)

This amendment, which is the minority report, adds an appropriations and allocations section to provide funding to the Maine Land Use Planning Commission for rulemaking.

LD 817 An Act Regarding Aerial Pesticide Spray Projects PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO NOON	OTP ONTP	

This bill repeals notification and reporting provisions for forest insect aerial pesticide spray projects. The bill eliminates provisions related to government pesticide supervisors, spotters and monitors, including the certification, licensing and associated reporting requirements. Other provisions governing notification and reporting requirements for outdoor pesticide applications are contained in the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control rules.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2015, chapter 58 repeals notification and reporting provisions for forest insect aerial pesticide spray projects. The bill eliminates provisions related to government pesticide supervisors, spotters and monitors, including the certification, licensing and associated reporting requirements.

LD 828 An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission

PUBLIC 265

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM ONTP	H-374 S-307 SAVIELLO

This bill:

1. Amends the legislative findings of the Maine Wind Energy Act, adding emphasis to public consideration and participation in decisions related to expedited wind energy development siting;
2. Directs the Maine Land Use Planning Commission, through rulemaking, to create a provisional expedited permitting area comprised of unorganized and deorganized areas of the State, which were previously included in the expedited permitting area, with specific exceptions to recognize existing expedited wind energy developments; and
3. Amends the statutory criteria for adding specified places to the expedited permitting area and adds a requirement that a petition to add a specified place to the expedited permitting area must involve a public hearing if written requests for a public hearing are received from five or more persons.

Committee Amendment "A" (H-374)

This amendment, which is the majority report of the committee, replaces the bill. It amends the laws governing expedited permitting of wind energy development in the Maine Revised Statutes, Title 35-A, chapter 34-A. It makes the following changes to current law.

1. It provides the Maine Land Use Planning Commission with the authority to remove, by rule, a specified place within the unorganized and deorganized areas from the expedited permitting area.
2. It provides that the Maine Land Use Planning Commission is not required to provide notice to the Legislature when it adopts a rule to remove a specified place from the expedited permitting area.
3. It amends existing definitions, adds new definitions and provides corresponding cross-references in Title 12 and in the public law that enacted Title 35-A, chapter 34-A to the new removal process.

House Amendment "A" To Committee Amendment "A" (H-393)

This amendment adds a requirement for notice and public hearing on a petition to remove a specified place from the expedited permitting area and requires the Maine Land Use Planning Commission to determine whether the specified place meets the existing requirements for additions to the expedited permitting area. This amendment also reduces the percentage of resident voters who must sign a petition seeking removal of a specified place from the expedited permitting area from 50 percent, as proposed in Committee Amendment "A," to 10 percent.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-307)

This amendment establishes consistency between the review processes for adding and removing specified places from the expedited permitting area. The amendment also establishes that when 10 percent, instead of 50 percent as in the committee amendment, of the registered voters in a township, plantation or municipality that voted in the

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most recent gubernatorial election petition for removal of a specified place in the unorganized and deorganized areas from the expedited permitting area, after the required notice, if no person requests substantive review of the petition the specified place must be removed. If review is requested, there must be an opportunity for public comment and, if requested by five or more persons, a public hearing. The Maine Land Use Planning Commission may recover the actual cost of a requested review of a petition from the person making the request. When conducting substantive review of a petition for removal, the commission must grant the petition and remove the specified place from the expedited permitting area if the commission determines the removal will not have an unreasonable adverse effect on the State's ability to meet its goals for wind energy development and is consistent with the principal values and the goals of the commission's comprehensive land use plan. The amendment removes the requirement that all signers of a petition must be permanent residents of the township, plantation or municipality, extends the deadline by which petitions may be filed to June 30, 2016 and establishes an effective date of the legislation of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 265 amends the laws governing expedited permitting of wind energy development in the Maine Revised Statutes, Title 35-A, chapter 34-A, as follows:

1. It adds new definitions for "specified place" and "unorganized and deorganized areas;"
2. It provides the Maine Land Use Planning Commission with the authority to remove, by rule, a specified place within the unorganized and deorganized areas from the expedited permitting area and establishes consistency between the review processes for adding and removing specified places from the expedited permitting area. It establishes that when 10 percent of the registered voters in a township, plantation or municipality that voted in the most recent gubernatorial election petition for removal of a specified place in the unorganized and deorganized areas from the expedited permitting area, after the required notice, if no person requests substantive review of the petition the specified place must be removed. If review is requested, there must be an opportunity for public comment and, if requested by five or more persons, a public hearing. The Maine Land Use Planning Commission may recover the actual cost of a requested review of a petition from the person making the request. When conducting substantive review of a petition for removal, the commission must grant the petition and remove the specified place from the expedited permitting area if the commission determines the removal will not have an unreasonable adverse effect on the State's ability to meet its goals for wind energy development and is consistent with the principal values and the goals of the commission's comprehensive land use plan;
3. It establishes a deadline by which petitions may be filed to June 30, 2016;
4. It provides that the Maine Land Use Planning Commission is not required to provide notice to the Legislature when it adopts a rule to remove a specified place from the expedited permitting area;
5. It provides corresponding cross-references in Title 12 and in the public law that enacted Title 35-A, chapter 34-A to the new removal process; and
6. It establishes an effective date of January 1, 2016.

LD 839 An Act To Increase Conservation District Funding

PUBLIC 341

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	OTP-AM	H-88 S-325 HAMPER

This bill provides ongoing funding of \$200,000 per fiscal year to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

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Committee Amendment "A" (H-88)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-325)

This amendment reduces from \$200,000 per fiscal year to \$70,000 per fiscal year funding to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

Enacted Law Summary

Public Law 2015, chapter 341 provides ongoing funding of \$70,000 per fiscal year to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

LD 866 An Act To Ensure Efficiency and Safety in the Bureau of Forestry CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS NADEAU		

This bill requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint no fewer than 16 Forest Ranger IIIs, subject to the Civil Service Law, who are each to be armed with a firearm and are selected from forest rangers employed by the bureau. The bill provides that a Forest Ranger III is required to meet the same training, certification and evaluation requirements as a full-time law enforcement officer as established by the department and Board of Trustees of the Maine Criminal Justice Academy. The bill provides that a Forest Ranger III has the same powers and duties as a sheriff or sheriff's deputy to enforce criminal and civil laws, with an emphasis on forestry, natural resource and wildfire protection laws.

This bill requires the director to appoint the state supervisor and no fewer than 32 Forest Ranger IIs, subject to the Civil Service Law, who serve in a role similar to that of current forest rangers and who must be provided ballistic vests and electronic control devices for their safety while performing their duties.

This bill changes the duties of forest rangers to include investigating, planning and implementing measures regarding forest health issues, including the control of invasive forest insect species, and providing support to the units within the bureau that are responsible for forest health and insect disease control. It also changes the duties of forest rangers to include providing assistance in disasters and emergencies, including search and rescue operations.

This bill removes the prohibition of the purchase of firearms, ballistic vests and other firearms-related equipment by the Department of Conservation.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 870 An Act To Amend the Maine Spruce Budworm Management Laws PUBLIC 314

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL NOON	OTP-AM	S-252 H-466 BLACK

This bill updates the Maine Spruce Budworm Management Act to eliminate outdated language, such as that referring to pesticide spraying, and to add language governing presalvage and salvage harvesting of forest

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stands that have a significant risk of damage from spruce budworm.

Committee Amendment "A" (S-252)

This amendment:

1. Updates the process for regulation of presalvage and salvage harvesting;
2. Establishes additional parameters for the rulemaking process;
3. Establishes penalties for violations;
4. Defines the effect of other laws on presalvage and salvage harvesting; and
5. Adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-466)

This amendment amends Committee Amendment "A" regarding the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand and retains a section removed from the bill regarding the authority of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to conduct research.

Enacted Law Summary

Public Law 2015, chapter 314 updates the Maine Spruce Budworm Management Act.

Specifically, Public Law 2015, chapter 314:

1. Eliminates outdated language, such as that referring to pesticide spraying;
2. Adds language governing presalvage and salvage harvesting of forest stands that have a significant risk of damage from spruce budworm, including specifications about the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand;
3. Updates the process for regulation of presalvage and salvage harvesting;
4. Establishes additional parameters for the rulemaking process;
5. Establishes penalties for violations; and
6. Defines the effect of other laws on presalvage and salvage harvesting.

LD 872 Resolve, Establishing a Task Force To Ensure Integrity in the Use of Service Animals

**RESOLVE 36
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD CUSHING	OTP-AM ONTP	H-370

This resolve establishes the Study Commission To Ensure Integrity in the Use of Service Animals in order to study training and certification requirements of service animals, methods of disseminating information about service animals to the public and documentation of training and certification of service animals.

Committee Amendment "A" (H-370)

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This amendment, which is the majority report, replaces the resolve. The amendment directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The amendment establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Enacted Law Summary

Resolve 2015, chapter 36 directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The resolve establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Resolve 2015, chapter 36 was finally passed as an emergency measure effective June 27, 2015.

LD 925 An Act To Promote Small Diversified Farms and Small Food Producers Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN SAVIELLO	OTP-AM	H-335

This bill facilitates direct sales between Maine farmers and consumers by exempting the following persons from State licensing requirements:

1. Agricultural producers that sell farm food products directly to informed end consumers at a farmers' market, on the farm where the farm food product originated or at the home of the informed end consumer; and
2. Individuals that sell homemade food directly to an informed end consumer at their home, at a farmers' market or at a traditional community social event.

The bill also establishes uniform labeling requirements for the exempted products.

Committee Amendment "A" (H-335)

This amendment redefines "informed end consumer," eliminates farmers' markets from the list of exempted venues, changes the wording of the labeling requirement and requires a sign concerning food allergies to be displayed where sales occur.

LD 938 An Act To Clarify Maine's Fertilizer Quality Control Laws PUBLIC 191

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HICKMAN	OTP-AM	S-181

This bill reduces by half, from \$1 per ton to 50 cents per ton, the fees collected by the Department of Agriculture, Conservation and Forestry on commercial fertilizer sold in the State. The bill also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

Committee Amendment "A" (S-181)

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This unanimous committee amendment:

1. Eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State;
2. Increases the per product commercial fertilizer registration fee by \$25;
3. Directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act; and
4. Requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill.

Enacted Law Summary

Public Law 2015, chapter 191 eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State, increases the per product commercial fertilizer registration fee by \$25, directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act and requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill. It also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

LD 991 An Act To Amend Maine's Genetically Modified Food Products Labeling Law CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M SAVIELLO		

This bill makes Maine's genetically modified food products labeling law effective. The bill accomplishes this result by repealing the delayed effective date in the law, which states that the effective date of the law occurs when mandatory labeling of genetically engineered food is adopted by at least five contiguous states including Maine, and by repealing the law's automatic repeal provision, which states the law is repealed if mandatory labeling of genetically engineered food is not adopted by at least five contiguous states including Maine by January 1, 2018.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1022 An Act To Protect the Future of Harness Racing CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN DIAMOND	OTP-AM	H-377

This bill removes the provision of law that terminates certain payments of net slot machine income to the Fund to Encourage Racing at Maine's Commercial Tracks when all commercial tracks have obtained a license to operate slot machines. The bill also provides that if a commercial track ceases operation and is not immediately replaced by a commercial track in the same region that is owned by the same owner as the commercial track that ceased operation, all amounts in the fund must be disbursed to the remaining commercial tracks and to agricultural fairs based on days raced during extended meets up to a maximum of 100 days raced during extended meets per year and until such time as a new commercial track begins operation. A commercial track or agricultural fair receives a payment per

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race day equal to the quotient of the amount in the fund divided by 150. Any amount remaining in the fund after payments are made to commercial tracks and agricultural fairs must be transferred to the operating account of the Harness Racing Commission.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

Committee Amendment "A" (H-377)

This amendment adds a process whereby, in the event of a natural disaster, a commercial track may repair, rebuild or relocate at the discretion of the State Harness Racing Commission. During any time that is granted by the commission to a commercial track to repair, rebuild or relocate, the distribution formula provided in the bill for the distribution of funds from the Fund to Encourage Racing at Maine's Commercial Tracks in the event of a track closure applies.

LD 1023 An Act To Revise the Animal Welfare Laws

PUBLIC 223

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN EDGECOMB P	OTP-AM	H-274

This bill amends the definition of "animal shelter" to include animal rescue and applies that expanded definition to the laws related to animal shelters. The bill repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19. The bill transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation, and Forestry to the person who seized the animals. The bill corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942. The bill provides that small animals can be euthanized if sick or injured. The bill repeals the conditional animal shelter license law that was enacted in 2013. The bill also clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

Committee Amendment "A" (H-274)

This committee amendment, which is the unanimous report of the committee, amends the definition of "animal shelter" to include rescue groups. The word "domesticated" is included in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions.

Enacted Law Summary

Public Law 2015, chapter 223 does the following:

1. Amends the definition of "animal shelter" to include rescue groups and includes the word "domesticated" in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions;
2. Repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19;
3. Transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation and Forestry to the person who seized the animals;
4. Corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine

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Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942;

- 5. Provides that small animals can be euthanized if sick or injured;
- 6. Rpeals the conditional animal shelter license law that was enacted in 2013; and
- 7. Clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

LD 1024 An Act To Preserve Agricultural Fairs

Died Between Houses

Sponsor(s)
MAREAN
SAVIELLO

Committee Report

Amendments Adopted

This bill directs off-track betting facilities first licensed after January 1, 2015 to distribute funds at rates different from those distributed by off-track betting facilities first licensed before January 1, 2015. The bill allows owners of facilities licensed before January 1, 2015 to open new facilities. The bill also changes the market area regarding the location of an off-track betting facility from within 50 miles of the center of a racetrack betting facility to within 35 miles and repeals the law allowing licensees of off-track betting facilities that were licensed and open for business before April 1, 2000 and that have a market area with a population of less than 50,000 persons to distribute funds at a reduced rate.

This bill was not referred to a committee.

LD 1041 An Act To Restore Farmlands and Improve Watersheds

Died Between Houses

Sponsor(s)
JOHNSON
HICKMAN

Committee Report
OTP-AM
ONTP

Amendments Adopted

This bill establishes the Farmland Restoration Program, establishes a framework for the program, establishes the Farmland Restoration Fund and gives the Department of Agriculture, Conservation and Forestry authority to adopt rules to implement the program.

Committee Amendment "A" (S-128)

This amendment, which is the majority report, adds an appropriations and allocations section to the bill.

LD 1089 An Act To Amend the Laws Governing Agriculture by Expanding the Powers of the Commissioner of Agriculture, Conservation and Forestry

ONTP

Sponsor(s)
MCCABE

Committee Report
ONTP

Amendments Adopted

This bill authorizes the Commissioner of Agriculture, Conservation and Forestry to acquire, purchase and lease property for and on behalf of the State.

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LD 1098 An Act To Protect Children from Exposure to Pesticides

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to extend laws and rules regarding pesticides in schools and on school grounds to other areas when children are present.

LD 1099 An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	OTP-AM	

This bill creates the Animal and Plant Disease and Insect Control Fund to pay for pest management and pesticide safety outreach and education and for operating costs relating to pesticide management and insect control of the University of Maine Cooperative Extension's animal and plant disease and insect control laboratory. The Animal and Plant Disease and Insect Control Fund is funded by a 20 cent fee on every container of consumer packaged pesticides, with some exceptions.

Committee Amendment "A" (H-458)

This amendment, which replaces the bill, includes the provisions in the bill creating the Animal and Plant Disease and Insect Control Fund to pay for pest management and pesticide safety outreach and education and for operating costs relating to pesticide management and insect control of the University of Maine Cooperative Extension's animal and plant disease and insect control laboratory. The Animal and Plant Disease and Insect Control Fund is funded by a 20 cent fee on every container of consumer packaged pesticides, with some exceptions.

In addition, the amendment establishes that the fund may not be used to pay for any administrative costs incurred by the University of Maine or by the University of Maine Cooperative Extension. It also provides that retailers may retain three cent of the 20 cent fee in order to help offset the costs of collection. It establishes that the Board of Pesticides Control must, by rule, establish the universe of products upon which a fee will be imposed and the types of products that are exempted from the fee. It expands the Board of Pesticides Control's responsibilities and provides that a report be submitted biennially to the joint standing committee of the Legislature having jurisdiction over pest management matters, which has authority to report out a bill implementing changes to this program upon receipt of the report.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-313)

This amendment decreases the pesticide container fee proposed under Committee Amendment "A" to 10 cents per container and removes the exemption from the fee for packages sold by retail stores of less than 7,000 square feet of space. The amendment repeals the pesticide container fee on May 1, 2017. The Commissioner of Agriculture, Conservation and Forestry is given administrative control over the Animal and Plant Disease and Insect Control Fund after that date and provided the authority to disburse the funds to the University of Maine Cooperative

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Extension for pest management and pesticide safety education and laboratory costs.

This amendment was not adopted.

Senate Amendment "B" To Committee Amendment "A" (S-314)

This amendment repeals the pesticide container fee on May 1, 2017. The Commissioner of Agriculture, Conservation and Forestry is given administrative control over the Animal and Plant Disease and Insect Control Fund after that date and provided the authority to disburse the funds to the University of Maine Cooperative Extension for pest management and pesticide safety education and laboratory costs.

This amendment was not adopted.

Senate Amendment "D" To Committee Amendment "A" (S-316)

This amendment decreases the pesticide container fee proposed under Committee Amendment "A" to 10 cents per container and replaces the appropriations and allocations section accordingly.

This amendment was not adopted.

This bill was reported out of committee, then committed back to the Joint Standing Committee on Agriculture, Conservation and Forestry and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 998.

LD 1105 An Act To Protect Populations of Bees and Other Pollinators ONTP

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

This bill prohibits labeling or advertising an annual plant, bedding plant or other plant, plant material or nursery stock as beneficial to pollinators if the plant or material has been treated with an insecticide absorbed by a plant that makes the plant lethal to pollinators.

LD 1106 An Act To Compensate Beekeepers for Hive Losses ONTP

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

This bill provides for compensation to honeybee owners for honeybee death from the application of pesticides. Under the bill, if honeybee death or loss of a honeybee colony was caused by an acute pesticide poisoning and the pesticide applicator cannot be identified or the pesticide applicator applied the pesticide product in a manner consistent with the pesticide product's label, the Department of Agriculture, Conservation and Forestry may compensate the honeybee owner for the fair market value of the honeybees or honeybee colony. If the pesticide applicator can be identified and the applicator applied the pesticide product in a manner inconsistent with the product's label, the department may collect a penalty from the pesticide applicator sufficient to compensate the honeybee owner for the fair market value of the honeybees or honeybee colony and shall award the money to the honeybee owner. The bill provides that fair market value is determined by the department upon recommendation by academic experts and honeybee owners.

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LD 1151 An Act To Prevent the Infestation of Firewood by Invasive Species

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE SAVIELLO	OTP-AM ONTP	

This bill directs the Commissioner of Agriculture, Conservation and Forestry to create a firewood emergency response group to respond to reports of infestation of firewood by invasive species and creates the Firewood Infestation Education Fund to educate the public regarding and promote public awareness of the dangers of infestation through the importation of firewood into the State.

Committee Amendment "A" (H-276)

This amendment, which is the majority report, moves the allocation of the statutory provisions of the bill from the Maine Revised Statutes, Title 7 to Title 12, establishes the number of individuals who may serve on the firewood emergency response group and clarifies the nature of the annual meeting to be held by the response group. The amendment also adds an appropriations and allocations section.

**LD 1169 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Permit 25 Acres or Less To Be Withdrawn from Taxation as
Timberland and Woodland without Penalty**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SKOLFIELD	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to permit a person to withdraw 25 acres or less of timberland and woodland from current use valuation without incurring a penalty.

Committee Amendment "A" (S-102)

This amendment, which is the minority report of the committee, adds a fiscal note.

**LD 1178 An Act To Implement the Recommendations of the Maple Syrup Task
Force**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK DAVIS		

This bill establishes the Maine Maple Promotion Board and creates its basic structure, core functions and duties.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 1247 An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell

P & S 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE SAVIELLO	OTP	

This bill rescinds the statutory restriction of only agricultural or forestry purposes on two parcels of former state land in Greenbush currently owned by Anita P. Haskell and directs the Department of Agriculture, Conservation and Forestry to issue a deed to each parcel to Anita P. Haskell releasing the restriction on those parcels. Anita P. Haskell and the Department of Agriculture, Conservation and Forestry are required to agree that the State must be held harmless regarding any and all claims related to the property and the ownership of the property by the State and any previous owners. It also requires that the release of the deed restriction and hold harmless clause become part of the deed and bind all successors in title. The bill also requires that Anita P. Haskell pay all legal costs associated with the release of the deed restriction and the hold harmless agreement. The bill also requires, pursuant to the Constitution of Maine, an affirmative vote of two-thirds of the members of the Legislature.

Enacted Law Summary

Private and Special Law 2015, chapter 7 rescinds the statutory restriction of only agricultural or forestry purposes on two parcels of former state land in Greenbush currently owned by Anita P. Haskell and directs the Department of Agriculture, Conservation and Forestry to issue a deed to each parcel to Anita P. Haskell releasing the restriction on those parcels. Anita P. Haskell and the Department of Agriculture, Conservation and Forestry are required to agree that the State must be held harmless regarding any and all claims related to the property and the ownership of the property by the State and any previous owners. It requires that the release of the deed restriction and hold harmless clause become part of the deed and bind all successors in title. It also requires that Anita P. Haskell pay all legal costs associated with the release of the deed restriction and the hold harmless agreement.

LD 1284 An Act To Expand the Local Foods Economy

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON HICKMAN	ONTP OTP-AM	

This bill requires the Department of Agriculture, Conservation and Forestry to administer programs to support the expansion and coordination of the use of fresh Maine foods in aggregated and institutional markets, including school food service programs. The Department of Agriculture, Conservation and Forestry is directed to provide grants under the agricultural development grant program for the purpose of conducting market feasibility studies and developing business plans for local food infrastructure operations in Maine to connect and enhance relationships between fresh food producers in Maine and aggregated and institutional markets, including school food service programs, and food purveyors. The Commissioner of Agriculture, Conservation and Forestry may not award a local foods grant unless the applicant provides matching funds in an amount that is no less than 50 percent of the grant amount. The department is also directed to provide loans under the Agricultural Marketing Loan Fund to applicants in diverse geographic areas in the State for the purpose of establishing local food infrastructure operations located in Maine. Prior to awarding a local food infrastructure loan, the Commissioner of Agriculture, Conservation and Forestry is required to determine that the potential overall impact of a proposal on Maine's agricultural economy and industry is beneficial to and in the best interest of the State. The bill also establishes the Maine Food Infrastructure Advisory Committee, which includes representatives of statewide and regional organizations involved in supporting agriculture, public health, the environment and the state economy, including

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representatives of the member entities of the farm-to-school work group established by Resolve 2009, chapter 106.

Committee Amendment "A" (S-239)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 1291 An Act To Promote Food Self-sufficiency for the People of the State

PUBLIC 347

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN SAVIELLO	OTP-AM	H-447 S-330 HAMPER

This bill:

1. Directs the Department of Agriculture, Conservation and Forestry, in coordination with various state agencies, to develop and administer an agricultural jobs network linking farms and facilities that process agricultural products grown in the State with available workers who are involved in farming or a local food industry or who are required to perform community service;
2. Directs the department, in coordination with various state agencies, to develop an educational marketing campaign to promote food self-sufficiency by encouraging the public to grow gardens, to raise farm animals and to preserve garden-grown food
3. Requires the department, to the extent practicable, to purchase food grown, harvested, prepared, processed or produced in the State when purchasing food for an emergency or supplemental food program for elderly or low-income persons; and
4. Grants municipalities, notwithstanding any provision of law to the contrary, the authority to regulate by ordinance the direct producer-to-customer exchange of all food grown, harvested, prepared, processed or produced in the municipality.

Committee Amendment "A" (H-447)

This amendment strikes language from the bill that allows a municipality to regulate by ordinance the direct producer-to-customer exchange of all food grown, harvested, prepared, processed or produced in the municipality.

The amendment clarifies the intent of the bill by requiring the Department of Agriculture, Conservation and Forestry to use existing programs and resources in carrying out the provisions of the bill.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-330)

This amendment replaces the appropriations and allocations section to reduce funding related to a part-time Planning and Research Assistant position.

Enacted Law Summary

Public Law 2015, chapter 347 directs the Department of Agriculture, Conservation and Forestry, in coordination with various state agencies, to develop and administer an agricultural jobs network linking farms and facilities that process agricultural products grown in the State with available workers who are involved in farming or a local food industry or who are required to perform community service and to develop an educational marketing campaign to promote food self-sufficiency by encouraging the public to grow gardens, to raise farm animals and to preserve garden-grown food. This bill also requires the department, to the extent practicable, to purchase food grown,

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harvested, prepared, processed or produced in the State when purchasing food for an emergency or supplemental food program for elderly or low-income persons.

LD 1326 An Act To Require Labeling of All Genetically Modified Products

CARRIED OVER

Sponsor(s)

BURNS

Committee Report

Amendments Adopted

This bill makes the following changes to Maine's Genetically Modified Food Products Labeling Law.

1. It defines "genetically modified product," which includes genetically engineered seed stock, products from animals fed genetically engineered food and medicines that were manufactured with genetically engineered plants or animals to the laws regarding the labeling of genetically engineered products.
2. It requires the disclosure of genetic engineering of food, seed stock, products from animals fed genetically engineered food or medicines that were manufactured with genetically engineered plants or animals beginning January 1, 2017.
3. It provides that food, seed stock, products from animals fed genetically engineered food and medicines for which the disclosure is not made are considered to be misbranded and subject to the sanctions for misbranding.
4. It removes exemptions for products produced without knowledge that the products, or items used in their production, were genetically engineered; animal products derived from an animal that was not genetically engineered but was fed genetically engineered food; and products with only a minimum content produced by genetic engineering.
5. It removes the exemption from disclosure requirements as regards restaurants, alcoholic beverages or medical food.
6. It increases the penalties for nondisclosure and misbranding to a Class E crime for the first offense and a Class D crime for the second and subsequent offenses.
7. It repeals the contingent effective date established by Public Law 2013, chapter 436, section 2, subsection 1.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1376 An Act To Establish a Local Food Producers and Processors to Consumers Pilot Program

**Died On
Adjournment**

Sponsor(s)

LANGLEY
WARD

Committee Report

OTP-AM

Amendments Adopted

S-284

This bill establishes the Local Food Producers and Processors to Consumers Pilot Program. The pilot program exempts local producers and processors in the towns of Blue Hill, Brooksville, Penobscot, Sedgwick and Brooklin, all of which have adopted local food self-governance ordinances, from all state licensure and inspection requirements with respect to the production and processing of local foods for sale directly to consumers. The pilot program is repealed in 2022.

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The bill requires the Department of Agriculture, Conservation and Forestry to submit an annual report on the pilot program to the joint standing committee of the Legislature having jurisdiction over agricultural matters including any assessment of or comments about the pilot program provided by interested persons, including producers, processors and consumers participating in the pilot program. Upon receipt of the report, the committee may report out a bill relating to the pilot program.

Committee Amendment "A" (S-284)

This amendment provides that the Department of Agriculture, Conservation and Forestry is only required to take certain actions to assist local food producers and processors upon the request of the eligible producers and processors. The amendment also adds an appropriations and allocations section.

LD 1408 Resolve, Regarding Legislative Review of Portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry RESOLVE 26 EMERGENCY

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

This resolve provides for legislative review of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2015, chapter 26 provides that final adoption of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.
Resolve 2015, chapter 26 was finally passed as an emergency measure effective June 16, 2015.

LD 1424 Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands RESOLVE 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN	OTP-AM	H-407 H-422 HICKMAN

This resolve provides for the following.

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scopan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor,

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located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.

3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.
5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.
6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.

Committee Amendment "A" (H-407)

This committee amendment clarifies that the property or other consideration received from Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company must be of equivalent value to the interests in land conveyed. The amendment also describes in greater detail the land that must be received from Smith's Farm, Inc. It also adds an emergency preamble and emergency clause.

House Amendment "A" To Committee Amendment "A" (H-422)

This amendment removes the emergency preamble and emergency clause as added by the committee amendment.

Enacted Law Summary

Resolve 2015, chapter 29 provides the following:

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scopan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor, located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.
3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.

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5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.

6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.

Joint Standing Committee on Agriculture, Conservation and Forestry

SUBJECT INDEX

Agricultural Development

Enacted

LD 598 An Act To Strengthen the Maine Agriculture Protection Act PUBLIC 145

Not Enacted

LD 304 An Act To Support Marketing of Maine's Farms and Fisheries ONTP

LD 1041 An Act To Restore Farmlands and Improve Watersheds Died Between Houses

Animal Welfare

Enacted

LD 1023 An Act To Revise the Animal Welfare Laws PUBLIC 223

Not Enacted

LD 335 An Act To Restrict the Sale of Dogs and Cats in Pet Shops Veto Sustained

LD 533 An Act To Ensure Humane Conditions for Egg-laying Poultry ONTP

Department of Agriculture, Conservation and Forestry

Not Enacted

LD 39 Resolve, To Require a Review of the Merger That Resulted in the ONTP
Department of Agriculture, Conservation and Forestry

LD 1089 An Act To Amend the Laws Governing Agriculture by Expanding ONTP
the Powers of the Commissioner of Agriculture, Conservation and
Forestry

Fertilizer

Enacted

LD 938 An Act To Clarify Maine's Fertilizer Quality Control Laws PUBLIC 191

Not Enacted

LD 207 An Act To Amend the Maine Commercial Fertilizer Law and the ONTP
Maine Agricultural Liming Materials Act

Food Policy

Enacted

LD 456	An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products	PUBLIC 118
LD 1291	An Act To Promote Food Self-sufficiency for the People of the State	PUBLIC 347

Not Enacted

LD 229	An Act To Exempt Small Raw Milk Producers from Licensing Requirements	ONTP
LD 312	An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production	Died Between Houses
LD 653	An Act To Increase Consumption of Maine Foods in All State Institutions	ONTP
LD 709	An Act Regarding the Regulation of Rabbit Production for Local Consumption	ONTP
LD 783	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food	CARRIED OVER
LD 925	An Act To Promote Small Diversified Farms and Small Food Producers	Died On Adjournment
LD 991	An Act To Amend Maine's Genetically Modified Food Products Labeling Law	CARRIED OVER
LD 1284	An Act To Expand the Local Foods Economy	Died Between Houses
LD 1326	An Act To Require Labeling of All Genetically Modified Products	CARRIED OVER
LD 1376	An Act To Establish a Local Food Producers and Processors to Consumers Pilot Program	Died On Adjournment

Harness Racing

Not Enacted

LD 457	An Act To Redistribute the Agricultural Fair Support Fund	INDEF PP
LD 1022	An Act To Protect the Future of Harness Racing	CARRIED OVER
LD 1024	An Act To Preserve Agricultural Fairs	Died Between Houses

Land Use Planning Commission

Enacted

LD 828	An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission	PUBLIC 265
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Not Enacted

LD 791	An Act To Amend the Laws Governing Wind Energy Development Permitting	Majority (ONTP) Report
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Maine Forest Service

Not Enacted

LD 656	An Act To Enhance Forest Ranger Safety	ONTP
LD 745	An Act To Improve Forest Ranger Safety	INDEF PP
LD 866	An Act To Ensure Efficiency and Safety in the Bureau of Forestry	CARRIED OVER

Miscellaneous

Enacted

LD 253	An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs	PUBLIC 55
LD 389	An Act Relating to the Sale of Hypodermic Apparatuses	PUBLIC 27
LD 1247	An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell	P & S 7
LD 1424	Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands	RESOLVE 29

Not Enacted

LD 414	An Act To Remove Certain Exemptions to the Laws Concerning Tree Specialists	ONTP
LD 546	An Act To Assist Individuals To Obtain a Permit To Grow and Sell Water Spinach	ONTP
LD 1105	An Act To Protect Populations of Bees and Other Pollinators	ONTP
LD 1106	An Act To Compensate Beekeepers for Hive Losses	ONTP
LD 1169	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit 25 Acres or Less To Be Withdrawn from Taxation as Timberland and Woodland without Penalty	Majority (ONTP) Report
LD 1178	An Act To Implement the Recommendations of the Maple Syrup Task Force	CARRIED OVER

Parks and Public Lands

Not Enacted

LD 316	An Act To Provide a Waiver of Short-term Camping Fees at State-owned Parks, Camping Areas and Beaches for Members of Federally Recognized Indian Tribes in the State	ONTP
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Pest Management

Enacted

LD 870	An Act To Amend the Maine Spruce Budworm Management Laws	PUBLIC 314
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Not Enacted

LD 1099	An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory	CARRIED OVER
LD 1151	An Act To Prevent the Infestation of Firewood by Invasive Species	Died Between Houses

Pesticides

Enacted

LD 202	Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control	RESOLVE 5 EMERGENCY
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LD 203	Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control	RESOLVE 6 EMERGENCY
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LD 817	An Act Regarding Aerial Pesticide Spray Projects	PUBLIC 58
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Not Enacted

LD 708	An Act To Limit the Use of Pesticides on School Grounds	ONTP
LD 1098	An Act To Protect Children from Exposure to Pesticides	ONTP

Regulated Products

Enacted

LD 4	An Act To Promote Industrial Hemp	PUBLIC 202 EMERGENCY
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Not Enacted

LD 119	An Act To Allow for the Cultivation of Hemp	ONTP
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Service Dogs

Enacted

LD 872 Resolve, Establishing a Task Force To Ensure Integrity in the Use of Service Animals RESOLVE 36 EMERGENCY

Not Enacted

LD 547 An Act Regarding Service Dogs ONTP

Soil & Water Conservation Districts

Enacted

LD 839 An Act To Increase Conservation District Funding PUBLIC 341

Timber Harvesting

Enacted

LD 1408 Resolve, Regarding Legislative Review of Portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry RESOLVE 26 EMERGENCY

Not Enacted

LD 317 An Act To Recognize and Provide for the Right of Access for Members of the Houlton Band of Maliseet Indians To Certain Public Lands in Aroostook County for Traditional Uses ONTP

LD 388 An Act Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands Died Between Houses