

STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

MEMBERS:

SEN. PAUL T. DAVIS, SR., CHAIR
SEN. THOMAS B. SAVIELLO
SEN. JAMES F. DILL

REP. MICHELLE DUNPHY, CHAIR
REP. RALPH CHAPMAN
REP. ROLAND DANNY MARTIN
REP. MARGARET M. O'NEIL
REP. RUSSELL J. BLACK
REP. CAROL A. MCELWEE
REP. MARYANNE KINNEY
REP. NORMAN E. HIGGINS
REP. THOMAS H. SKOLFIELD
REP. KENT ACKLEY

STAFF:

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

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 8 An Act To Provide Training for Forest Rangers To Carry Firearms

PUBLIC 456

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL W MAKER J	OTP-AM ONTP	H-451 S-519 HAMPER J

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill prohibits the Department of Agriculture, Conservation and Forestry from prohibiting a forest ranger from carrying a personal concealed firearm for the forest ranger's protection while on duty.

Committee Amendment "A" (H-451)

This amendment strikes and replaces the bill.

The amendment amends the powers and duties of the Board of Trustees of the Maine Criminal Justice Academy to include that the board establish certification standards and a training program for forest rangers and the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry. The training program must include preservice law enforcement training under the Maine Revised Statutes, Title 25, section 2804-B; an additional basic forest ranger training program developed by the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and approved by the board that is specific to the duties of a forest ranger; in-service law enforcement training that is specifically approved by the board as prescribed in Title 25, section 2804-E; and a firearms training program equivalent to a firearms training program of a full-time law enforcement officer trained at the Maine Criminal Justice Academy that is developed and approved by the board.

The training program exempts forest rangers from basic law enforcement training and other requirements under Title 25, section 2804-C, but completion of the basic training under section 2804-C exempts a person from the preservice training requirement.

The training program satisfies requirements necessary for forest rangers to carry firearms in the course of their duties. The amendment also specifies that beginning July 1, 2018, all forest rangers and the state supervisor must successfully complete the training requirements established under Title 25, section 2803-A, subsection 8-D, which provides the department and the board time to develop and implement the training.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-519)

This amendment changes the beginning date for completion of the training requirements to July 1, 2019 from July 1, 2018. This amendment also removes the amounts appropriated in fiscal year 2017-18 and appropriates those amounts in fiscal year 2018-19.

Enacted Law Summary

Public Law 2017, chapter 456 amends the powers and duties of the Board of Trustees of the Maine Criminal Justice Academy to include that the board establish certification standards and a training program for forest rangers and the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry. The training program must include preservice law enforcement training under the

Joint Standing Committee on Agriculture, Conservation and Forestry

Maine Revised Statutes, Title 25, section 2804-B; an additional basic forest ranger training program developed by the state supervisor of the forest protection unit of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry and approved by the board that is specific to the duties of a forest ranger; in-service law enforcement training that is specifically approved by the board as prescribed in Title 25, section 2804-E; and a firearms training program equivalent to a firearms training program of a full-time law enforcement officer trained at the Maine Criminal Justice Academy that is developed and approved by the board.

The training program exempts forest rangers from basic law enforcement training and other requirements under Title 25, section 2804-C, but completion of the basic training under section 2804-C exempts a person from the preservice training requirement.

The training program satisfies requirements necessary for forest rangers to carry firearms in the course of their duties. Public Law 2017, chapter 456 also specifies that beginning July 1, 2019, all forest rangers and the state supervisor must successfully complete the training requirements established under Title 25, section 2803-A, subsection 8-D.

LD 173 An Act To Reduce Food Insecurity

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E DAVIS P	OTP-AM	H-121

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill provides an appropriation of \$5,000,000 to allow the Department of Agriculture, Conservation and Forestry to contract with the Good Shepherd Food Bank or a successor organization for statewide hunger relief services.

Committee Amendment "A" (H-121)

This amendment reduces the appropriation in the bill to \$2,500,000.

**LD 174 An Act To Require Schools To Submit Pest Management Activity Logs
and Inspection Results to the Board of Pesticides Control for the
Purposes of Providing Information to the Public**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM	H-374

This bill was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill restricts the use of pesticides on school grounds. It allows their use 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. It permits their use on athletic

Joint Standing Committee on Agriculture, Conservation and Forestry

fields when determined necessary by the school for the health and safety of the field and students. It 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.

Committee Amendment "A" (H-374)

This amendment strikes and replaces the bill.

The amendment establishes in law certain requirements of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control related to pest management on school property, including the maintenance of records related to the application of pesticides. It requires this information to be provided annually to the board and requires the board to post that information on its publicly accessible website. It also requires that the board post on its publicly accessible website a list of all board inspections of a school's use of pesticides and the results of those inspections.

The fiscal note on the amendment identifies certain requirements in this amendment as a potential state mandate. In order to be a mandate pursuant to the Constitution of Maine, a provision must require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The committee finds the provisions identified as a potential mandate do not require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The requirement in the amendment that a school submit a copy of its pest management activity log, which is already required by rule to be maintained, does not require an expansion or modification of activities so as to necessitate additional expenditures from local revenue. The committee does not feel that the act of submitting once per year a pest management activity log that is already required to be maintained constitutes additional expenditures from local revenue.

LD 637 An Act To Protect Maine's Lands

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M JACKSON T	ONTP	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

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

This bill proposes to enact measures to protect Maine's lands.

LD 742 An Act To Allow Hemp Growers To Grow Hemp from Clones and To Grow Hemp Indoors

Accepted Majority (ONTP) Report

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

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill provides that a person licensed to grow industrial hemp may, in addition to existing permitted activities, grow industrial hemp from a clone or tissue cultures removed from live crops grown from certified seeds. It also requires the Commissioner of Agriculture, Conservation and Forestry to adopt rules to allow for licensing of indoor industrial hemp production.

Joint Standing Committee on Agriculture, Conservation and Forestry

Committee Amendment "A" (H-594)

This amendment is the minority report of the committee.

This amendment clarifies that a person licensed to grow industrial hemp may grow hemp from a clone that is produced from seeds acquired from a certified seed source or hemp propagated from tissue cultures that are removed from live plants grown from seeds from a certified seed source. It also directs the Commissioner of Agriculture, Conservation and Forestry to adopt rules to provide for industrial hemp grown indoors for the purpose of certified seed production by a licensed person who is growing hemp for an academic research program conducted through a postsecondary education institution.

LD 858 An Act To Strengthen the Law Regarding Dangerous Dogs and Nuisance Dogs

PUBLIC 404

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C CYRWAY S	OTP-AM	H-706

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill allows a sheriff, local law enforcement officer or animal control officer to determine whether a dog is a dangerous dog and requires the court to take that determination into account when making a decision regarding a dangerous dog. It requires the sheriff, local law enforcement officer or animal control officer who determines a dog to be dangerous to apply for an ex parte order to take possession of the dog. It removes the option of the court's allowing the owner or keeper of a dangerous dog to keep the dog and requires the court either to order the dog confined at a governmental facility or at a local humane society or similar nongovernmental organization or to order the dog euthanized. It also adds to the law regarding ordering a dog's euthanasia that the dog must be euthanized if it killed, maimed or inflicted serious bodily injury upon a domesticated animal.

Committee Amendment "A" (H-706)

This amendment strikes and replaces the bill.

This amendment does the following:

1. Amends the definition of "dangerous dog" to mean a dog or wolf hybrid that causes the death of or inflicts serious bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury or death; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear imminent serious bodily injury by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog that inflicts bodily injury on an individual or a domesticated animal who is not trespassing on the dog owner's or keeper's premises at the time of the injury and has previously been determined by a court of competent jurisdiction to be a nuisance dog;
2. Adds a new designation and definition of "nuisance dog" to mean a dog or wolf hybrid that causes bodily injury, other than serious bodily injury, to an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear bodily injury, other than serious bodily injury, by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog or wolf hybrid that causes damage to property or crops not owned by the dog or wolf hybrid owner or keeper while the dog or wolf hybrid is not on the owner's or keeper's premises;

Joint Standing Committee on Agriculture, Conservation and Forestry

3. Provides that the fee for a dangerous dog license is \$100 and the late fee is \$150, the fee for a nuisance dog license is \$30 and the late fee is \$70, and all licenses that are issued must state whether the dog has been determined by the court to be a dangerous dog or a nuisance dog;
4. Directs the Department of Agriculture, Conservation and Forestry to develop and implement a dog licensing database within one year of the effective date of this legislation;
5. Prohibits a person from training or encouraging a dog that is not directly involved with a protection dog training program recognized by the Department of Public Safety, Bureau of State Police to be aggressive toward or attack another person or domesticated animal; transferring ownership of a dog determined by a court to be a dangerous dog without the permission of the court, unless the transfer is to an animal control officer or an animal shelter that has a contract with a municipality to euthanize the dog for the municipality; and tethering a dog determined by a court of competent jurisdiction to be a dangerous dog or a nuisance dog. A violation is a civil violation for which a fine not to exceed \$100 may be adjudged in addition to court costs;
6. Requires municipalities to report to the animal welfare division of the Department of Agriculture, Conservation and Forestry all complaints related to animal control incidents for the prior calendar year on forms provided by the department;
7. Raises the maximum fine that the court may order for a dog determined to be a dangerous dog or nuisance dog to \$5,000 and amends and expands the list of penalties that the court may order if the court determines the dog to be a dangerous dog or a nuisance dog including the following:
 - A. Order a dog determined to be a dangerous to be euthanized if the court fines that the dog has killed, maimed, or inflicted serious bodily injury upon a person or has a history of a prior assault or a prior finding by the court of being a dangerous dog and the dog presents a clear threat to public safety;
 - B. Order that the owner or keeper of the dangerous dog, if that person has previously been adjudicated of having a dangerous dog, may not own, possess or have on that person's premises any dogs;
 - C. Order the owner or keeper of the dangerous dog to post dangerous dog signage;
 - D. Order the dangerous dog confined in a secure enclosure;
 - E. Order that the owner or keeper of the dangerous dog that is confined in a secure enclosure may not allow the dog outside of the secure enclosure except for specified reasons;
 - F. Order the dangerous or nuisance dog to be securely muzzled with a basket-style muzzle;
 - G. Order the dangerous or nuisance dog to be spayed or neutered;
 - H. Order the dangerous or nuisance dog to be microchipped;
 - I. Order the owner or keeper of the dangerous or nuisance dog to obtain a minimum of \$100,000 in liability insurance for the life of the dog;
 - J. Order the owner or keeper of the dangerous or nuisance dog to have the dog evaluated by a certified canine behaviorist or to attend dog training classes; and
 - K. Order the owner or keeper of the dangerous or nuisance dog to immediately notify the sheriff, local law enforcement, or animal control officer if the dog escapes;

Joint Standing Committee on Agriculture, Conservation and Forestry

8. Adds that an owner or keeper of a dog who violates a court order entered pursuant to a dangerous dog or a nuisance dog finding is in civil contempt of court and adds that a violation of a court order of the expanded list of penalties by a dog owner is a Class D crime; and
9. Adds that the owner or keeper of a dog determined by a court to be a dangerous dog or a nuisance dog is required to notify the municipality in which the dog resides in writing and within 30 days if ownership of the dog is transferred, the residence of the dog is changed or the dog is deceased.

Enacted Law Summary

Public Law 2017, chapter 404 does the following:

1. Amends the definition of "dangerous dog" to mean a dog or wolf hybrid that causes the death of or inflicts serious bodily injury on an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury or death; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear imminent serious bodily injury by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog that inflicts bodily injury on an individual or a domesticated animal who is not trespassing on the dog owner's or keeper's premises at the time of the injury and has previously been determined by a court of competent jurisdiction to be a nuisance dog;
2. Adds a new designation and definition of "nuisance dog" to mean a dog or wolf hybrid that causes bodily injury, other than serious bodily injury, to an individual or a domesticated animal who is not trespassing on the dog or wolf hybrid owner's or keeper's premises at the time of the injury; a dog or wolf hybrid that causes a reasonable and prudent person who is not on the dog or wolf hybrid owner's or keeper's premises and is acting in a reasonable and nonaggressive manner to fear bodily injury, other than serious bodily injury, by assaulting or threatening to assault that individual or individual's domesticated animal; or a dog or wolf hybrid that causes damage to property or crops not owned by the dog or wolf hybrid owner or keeper while the dog or wolf hybrid is not on the owner's or keeper's premises;
3. Provides that the fee for a dangerous dog license is \$100 and the late fee is \$150, the fee for a nuisance dog license is \$30 and the late fee is \$70, and all licenses that are issued must state whether the dog has been determined by the court to be a dangerous dog or a nuisance dog;
4. Directs the Department of Agriculture, Conservation and Forestry to develop and implement a dog licensing database within one year of the effective date of this legislation;
5. Prohibits a person from training or encouraging a dog that is not directly involved with a protection dog training program recognized by the Department of Public Safety, Bureau of State Police to be aggressive toward or attack another person or domesticated animal; transferring ownership of a dog determined by a court to be a dangerous dog without the permission of the court, unless the transfer is to an animal control officer or an animal shelter that has a contract with a municipality to euthanize the dog for the municipality; and tethering a dog determined by a court of competent jurisdiction to be a dangerous dog or a nuisance dog. A violation is a civil violation for which a fine not to exceed \$100 may be adjudged in addition to court costs;
6. Requires municipalities to report to the animal welfare division of the Department of Agriculture, Conservation and Forestry all complaints related to animal control incidents for the prior calendar year on forms provided by the department;
7. Raises the maximum fine that the court may order for a dog determined to be a dangerous dog or nuisance dog to \$5,000 and amends and expands the list of penalties that the court may order if the court determines the dog to be a dangerous dog or a nuisance dog including the following:

Joint Standing Committee on Agriculture, Conservation and Forestry

- A. Order a dog determined to be a dangerous to be euthanized if the court finds that the dog has killed, maimed, or inflicted serious bodily injury upon a person or has a history of a prior assault or a prior finding by the court of being a dangerous dog and the dog presents a clear threat to public safety;
 - B. Order that the owner or keeper of the dangerous dog, if that person has previously been adjudicated of having a dangerous dog, may not own, possess or have on that person's premises any dogs;
 - C. Order the owner or keeper of the dangerous dog to post dangerous dog signage;
 - D. Order the dangerous dog confined in a secure enclosure;
 - E. Order that the owner or keeper of the dangerous dog that is confined in a secure enclosure may not allow the dog outside of the secure enclosure except for specified reasons;
 - F. Order the dangerous or nuisance dog to be securely muzzled with a basket-style muzzle;
 - G. Order the dangerous or nuisance dog to be spayed or neutered;
 - H. Order the dangerous or nuisance dog to be microchipped;
 - I. Order the owner or keeper of the dangerous or nuisance dog to obtain a minimum of \$100,000 in liability insurance for the life of the dog;
 - J. Order the owner or keeper of the dangerous or nuisance dog to have the dog evaluated by a certified canine behaviorist or to attend dog training classes; and
 - K. Order the owner or keeper of the dangerous or nuisance dog to immediately notify the sheriff, local law enforcement, or animal control officer if the dog escapes;
8. Adds that an owner or keeper of a dog who violates a court order entered pursuant to a dangerous dog or a nuisance dog finding is in civil contempt of court and adds that a violation of a court order of the expanded list of penalties by a dog owner is a Class D crime; and
9. Adds that the owner or keeper of a dog determined by a court to be a dangerous dog or a nuisance dog is required to notify the municipality in which the dog resides in writing and within 30 days if ownership of the dog is transferred, the residence of the dog is changed or the dog is deceased.

LD 939 An Act To Protect Maine's Agriculture

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M DILL J	ONTP	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

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

This bill proposes to protect Maine's agriculture.

Joint Standing Committee on Agriculture, Conservation and Forestry

**LD 1127 An Act To Provide Occupants of Motor Vehicles with Gold Star Family
Registration Plates Free Entry to State Parks Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B CARSON B	OTP-AM	H-376

This bill was reported out of committee in the First Regular Session to the Second Regular Session of the 128th Legislature and then carried over on the Special Appropriations Table. This bill was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This bill provides for free entry to state parks for those persons who have gold star family registration plates on their motor vehicles, and their passengers.

Committee Amendment "A" (H-376)

This amendment incorporates a fiscal note.

**LD 1574 Resolve, To Require Greater Clearing of Vegetation along Portions of ONTP
Route 161 in the Town of Allagash**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	ONTP	

This resolve was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This resolve directs the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to contract with third parties to cut back vegetation 20 feet from the edges of portions of Route 161 in the Town of Allagash.

**LD 1584 An Act To Expand the Local Foods Economy by Promoting Local Foods PUBLIC 437
Procurement**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E HICKMAN C	OTP-AM	S-391

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. This bill was reported out of committee in the Second Regular Session and then carried over on the Special Appropriations Table to the next special session by joint order S.P. 748.

This bill requires the Commissioner of Agriculture, Conservation and Forestry to establish a good local foods procurement program to encourage the purchase and sale of foods that are produced and harvested in this State and that are healthy, safe, wholesome, nutritious, affordable, accessible and sustainably produced.

The program, administered by the commissioner, must help farmers and fishermen in this State by increasing demand for and direct purchasing of their products by individuals and institutions with a goal of increasing the sale

Joint Standing Committee on Agriculture, Conservation and Forestry

and purchase of good local foods by 20% no later than 2025 and supporting local economies, farms, fisheries, jobs, nutrition, environmental sustainability and animal welfare. The program also must improve access to good local foods.

The program must increase the purchase of good local foods by public and private institutions in this State, including, but not limited to, primary and secondary schools, colleges and universities, hospitals, jails, community centers serving senior citizens, child care centers, restaurants and grocery stores.

The program must provide education and outreach for the purpose of supporting farms, farmers' markets and community supported agriculture to further the goal of increasing the sale and purchase of good local foods.

The program must improve access to good local foods for recipients of food supplement program benefits. The commissioner must expand opportunities for farmers to sell good local foods to recipients of food supplement program benefits by promoting the use of electronic benefits transfer cards at farmers' markets and, in partnership with a statewide federation of farmers' markets, encouraging participation in community supported agriculture by recipients of food supplement program benefits. The commissioner must assist farmers' markets in accepting payments through the electronic benefits transfer system by helping them secure scanners and equipment, including equipment that does not require the use of electricity for locations that do not have access to electricity, for processing payments through the electronic benefits transfer system. The commissioner, in partnership with the Commissioner of Health and Human Services, must educate recipients of food supplement program benefits of the opportunity to use the benefits at farmers' markets and the advantages of such use.

Committee Amendment "A" (S-391)

This amendment strikes and replaces the bill.

This amendment directs the Commissioner of Agriculture, Conservation and Forestry to establish and promote a local foods procurement program with the goal of increasing the percentage of local foods procured by state institutions to 20% of all food and food products procured by 2025. The program does not apply to local schools.

The amendment also directs the commissioner to establish guidelines to assist state institutions in assessing their ability to procure local foods while minimizing costs, provide education and outreach for the purpose of supporting farms, farmers' markets, community supported agriculture and seafood providers to increase the sale and purchase of local foods and improve access to local foods for recipients of benefits of any food supplement program administered by the Department of Health and Human Services.

The amendment directs the commissioner to adopt major substantive rules to implement the local foods procurement program and to report on the progress towards reaching the local food procurement goal in the Department of Agriculture, Conservation and Forestry's biennial report.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2017, chapter 437 directs the Commissioner of Agriculture, Conservation and Forestry to do the following:

1. Establish and promote a local foods procurement program with the goal of increasing the percentage of local foods procured by state institutions to 20% of all food and food products procured by 2025. The program does not apply to local schools;
2. Establish guidelines to assist state institutions in assessing their ability to procure local foods while minimizing costs, provide education and outreach for the purpose of supporting farms, farmers' markets, community supported agriculture and seafood providers to increase the sale and purchase of local foods and improve access to local foods

Joint Standing Committee on Agriculture, Conservation and Forestry

for recipients of benefits of any food supplement program administered by the Department of Health and Human Services;

- 3. Adopt major substantive rules to implement the local foods procurement program; and
- 4. Report on the progress towards reaching the local food procurement goal in the Department of Agriculture, Conservation and Forestry's biennial report.

LD 1611 An Act To Protect Persons Who Cultivate, Process, Buy and Sell Hemp

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D SANDERSON D	ONTP OTP-AM	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill establishes an industrial hemp pilot program under which educational institutions of higher learning and others are allowed to plant, grow, harvest, process, possess, transport, purchase, sell and distribute industrial hemp for research purposes under a license issued by the Department of Agriculture, Conservation and Forestry. The department is required to adopt rules to certify and register sites and license activities related to industrial hemp and to license industrial hemp producer collectives. The rules must address testing procedures and standards, an industrial hemp certified seed program, pollen drift and feral hemp and allow for hemp production indoors, outdoors and in greenhouses.

This bill allows licensees to use industrial hemp clones. It requires the department to encourage collaboration with other states' educational institutions of higher learning and state departments of agriculture. It also prevents industrial hemp from being listed as a primary or secondary noxious-weed seed. It creates a civil violation for a person or entity that violates the new provision.

Committee Amendment "A" (S-357)

This amendment is the minority report of the committee.

The amendment adds an appropriations and allocations section and changes the beginning date of the Department of Agriculture, Conservation and Forestry's annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters to January 15, 2019.

LD 1647 Resolve, Authorizing Certain Land Transactions by the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry

RESOLVE 29 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-343

This resolve was reported out of committee in the First Special Session of the 128th Legislature.

This resolve authorizes the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to exchange land along Main Street, Route 164, in the Town of Washburn for a nearby piece of land in order to improve the safety of recreational travel on certain state-owned trails used for motorized recreation and allow the

Joint Standing Committee on Agriculture, Conservation and Forestry

town to sell a parcel of land it owns to a national business for development.

Committee Amendment "A" (S-343)

This amendment specifies that the segment of the Aroostook Valley Trail being transferred from the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to the Town of Washburn is approximately 30 feet wide and approximately 440 feet long.

Enacted Law Summary

Resolve 2017, chapter 29 authorizes the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to exchange land along Main Street, Route 164, in the Town of Washburn for a nearby piece of land in order to improve the safety of recreational travel on certain state-owned trails used for motorized recreation and allow the town to sell a parcel of land it owns to a national business for development. The law specifies that the segment of the Aroostook Valley Trail being transferred from the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to the Town of Washburn is approximately 30 feet wide and approximately 440 feet long.

Resolve 2017, chapter 29 was finally passed as an emergency measure effective October 31, 2017.

LD 1648 An Act To Amend the Law Recognizing Local Control Regarding Food Systems and Require Compliance with Federal and State Food Safety Regulations

**PUBLIC 314
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM	S-342

This bill was reported out of committee in the First Special Session of the 128th Legislature.

This bill establishes that certain foods that are produced in municipalities with local food ordinances that are regulated under federal authority and jurisdiction must still comply with state and federal laws, rules and regulations and are subject to state licensing and inspection in order to comply with federal laws and regulations.

Committee Amendment "A" (S-342)

This amendment does the following:

1. It clarifies the scope of the bill to ensure that local food ordinances must relate to direct producer-to-consumer transactions involving food or food products intended for human consumption. It also provides definitions of "direct producer-to-consumer transaction" and "food or food products";
2. It clarifies that the state laws in the Maine Revised Statutes, Title 7 and Title 22 that regulate direct producer-to-consumer transactions involving food or food products are the state laws whose application such local ordinances may affect; and
3. It makes other clarifying amendments to the bill and adds a provision authorizing the Joint Standing Committee on Agriculture, Conservation and Forestry to report out a bill to the Second Regular Session of the 128th Legislature relating to the food sovereignty law.

Enacted Law Summary

Public Law 2017, chapter 314 specifies that even in a municipality with an ordinance regarding direct producer-to-consumer transactions, the Department of Agriculture, Conservation and Forestry is required to implement, administer and enforce all rules and laws related to the State’s meat and poultry products inspection and

Joint Standing Committee on Agriculture, Conservation and Forestry

licensing program in order to meet the necessary federal requirement that a state program be at least equal to applicable federal requirements. It specifies that local food ordinances must relate to direct producer-to-consumer transactions involving food or food products intended for human consumption. It also provides definitions of "direct producer-to-consumer transaction" and "food or food products." It clarifies that the state laws in the Maine Revised Statutes, Title 7 and Title 22 that regulate direct producer-to-consumer transactions involving food or food products are the state laws whose application such local ordinances may affect. It authorizes the Joint Standing Committee on Agriculture, Conservation and Forestry to report out a bill to the Second Regular Session of the 128th Legislature relating to the food sovereignty law.

Public Law 2017, chapter 314 was enacted as an emergency measure effective October 31, 2017.

LD 1662 Resolve, Regarding Legislative Review of Portions of Chapter 307: Fees for Testing Weighing and Measuring Devices, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry **Leave to Withdraw Pursuant to Joint Rule**

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

This resolve provides for legislative review of portions of Chapter 307: Fees for Testing Weighing and Measuring Devices, a major substantive rule of the Department of Agriculture, Conservation and Forestry.

After referral to the committee, the Commissioner of Agriculture, Conservation and Forestry, in consultation with the Office of the Maine Attorney General and the Office of Policy and Legal Analysis, requested that the sponsor withdraw the resolve because the rulemaking that is the subject of the resolve is routine technical rather than major substantive.

LD 1681 An Act To Correct a Technical Error Pertaining to the Dairy Improvement Fund **PUBLIC 331 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P DUNPHY M	OTP-AM	S-356

This bill establishes a base allocation of funds to the Finance Authority of Maine for the operation of the Dairy Improvement Fund in fiscal year 2018-19.

Committee Amendment "A" (S-356)

This amendment adds a base allocation of funds to the Finance Authority of Maine for the operation of the Dairy Improvement Fund in fiscal year 2017-18 to allow for the immediate usage of funds.

Enacted Law Summary

Public Law 2017, chapter 331 provides a base allocation of funds to the Finance Authority of Maine for the operation of the Dairy Improvement Fund for fiscal years 2017-18 and 2018-19.

Public Law 2017, chapter 331 was enacted as an emergency measure effective March 7, 2018.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1739 Resolve, Authorizing the Lease of the Colonial Pemaquid State Historic Site

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOW D DEVIN M	ONTP OTP-AM	

This resolve authorizes the lease of certain property associated with the Colonial Pemaquid State Historic Site from the State to the Friends of Colonial Pemaquid to be used for historic preservation and to be open to the public for recreation and education purposes. The lease agreement must require that the property and historical collections be used exclusively for historic preservation and public education purposes.

Committee Amendment "A" (S-358)

This amendment is the minority report of the committee.

This amendment incorporates a fiscal note.

LD 1747 Resolve, To Establish a Task Force To Examine Agricultural Issues

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	OTP-AM OTP-AM ONTP	S-388 H-690 DUNPHY M

This resolve establishes the Task Force To Examine Agricultural Issues to examine the barriers to economic prosperity in rural parts of the State, how innovation, infrastructure and technology may play a role in long-term, sustainable rural success, the potential impact of requiring State facilities to use a certain percentage of biofuel, and the potential impact that the consolidation of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation has had on agricultural issues in this State.

The task force's membership consists of eight legislators, the Commissioner of Agriculture, Conservation and Forestry or his designee, the Director of the Bureau of General Services or his designee, two public members representing blueberry harvesters, and one public member representing forest products landowners.

The task force is required to submit a report including findings and recommendations to the First Regular Session of the 129th Legislature.

Committee Amendment "A" (S-388)

This amendment is the majority report of the committee. This amendment strikes and replaces the bill and changes the title.

The amendment directs the Commissioner of Agriculture, Conservation and Forestry to convene a departmental task force to study agricultural issues in the State and invite representatives and farmers from agricultural organizations and industries to participate in the task force, including an economist from the University of Maine Cooperative Extension Service to serve as the chair of the task force.

The amendment removes from the task force's original duties the requirement to examine the effect of the consolidation of the former Department of Agriculture, Food and Rural Resources and the Department of

Joint Standing Committee on Agriculture, Conservation and Forestry

Conservation, and adds to the task force's duties the duty to examine the effect of international trade policy on state agricultural commodities and the recommendations presented in the 2003 Blaine House Conference on Maine's Natural Resource-based Industry: Charting a New Course report.

The amendment requires the Department of Agriculture, Conservation and Forestry to provide staff support to the task force, and requires the Commissioner of Economic and Community Development and the Chief Executive Officer of the Finance Authority of Maine to designate a representative to serve as a resource to the task force.

The task force is required to submit a report including findings and recommendations to the First Regular Session of the 129th Legislature.

Committee Amendment "B" (S-389)

This amendment is the minority report of the committee.

This amendment narrows the task force's duties to the effect that the consolidation of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation has had on agricultural issues in this State and requires that one of the public members represent potato farmers.

House Amendment "A" To Committee Amendment "A" (H-690)

This amendment amends Committee Amendment "A" by removing the requirement that the Commissioner of Agriculture, Conservation and Forestry convene a departmental task force and invite representatives to participate in the task force. Instead, the amendment establishes the Task Force To Examine Agricultural Issues, as a legislative study, and gives appointing authority to the President of the Senate and the Speaker of the House of Representatives. The amendment does not change the membership of the task force and it provides that members of the task force are not entitled to reimbursement for their expenses.

LD 1766 An Act To Improve Marketing Efficiency in the Harness Racing Industry by Requiring Its Promotion by the State Harness Racing Commission and by Repealing the Harness Racing Promotional Board

PUBLIC 371

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE D	OTP-AM	H-652

This bill adds promotion of harness racing to the existing responsibilities of the State Harness Racing Commission.

The bill also repeals the Harness Racing Promotional Board and transfers the funds held by the board to the Harness Racing Promotional Fund, which will be administered by the State Harness Racing Commission and used to promote harness racing.

Committee Amendment "A" (H-652)

This amendment requires that the funds in the Harness Racing Promotional Fund be used solely for the marketing and promotion of harness racing and requires the State Harness Racing Commission to invite input on the marketing and promotion of harness racing in this State from a statewide association of harness horsemen, a statewide association of Standardbred breeders, a statewide association of agricultural fairs and persons who are members of organizations representing the interests of commercial harness racing tracks and off-track betting facilities.

The amendment also requires the State Harness Racing Commission, in its annual report, to include an account of the commission's operations and actions regarding the promotion of harness racing, a summary of income and expenses of the Harness Racing Promotional Fund, including any receipts and disbursements, and an assessment of the economic condition of the harness racing industry in this State. The amendment also changes the beginning date

Joint Standing Committee on Agriculture, Conservation and Forestry

of the annual report from April 1, 2018 to February 15, 2019.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2017, chapter 371 repeals the Harness Racing Promotional Board and requires the State Harness Racing Commission to promote harness racing in the State through the formation of advisory subcommittees, facilitation and marketing plans, the expenditure or granting of funds, and by inviting input on the promotion of harness racing from stakeholders.

Public Law 2017, chapter 371 changes the date of the annual harness racing report to February 15, 2019, and annually thereafter, and requires the report to include an account of the commission's operations and actions regarding the promotion of harness racing, a summary of income and expenses of the Harness Racing Promotion Fund, including any receipts and disbursements, and an assessment of the economic condition of the harness racing industry in this State.

Public Law 2017, chapter 371 establishes the Harness Racing Promotional Fund to be used solely for the marketing and promotion of harness racing in the State and transfers all unexpended balances of the Harness Racing Promotional Board to the Harness Racing Promotional Fund.

LD 1773 Resolve, Directing the Bureau of Parks and Lands To Transfer Land in RESOLVE 51
the Town of Pittston

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANLEY J CUSHING A	OTP-AM	H-620

This resolve directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to transfer a portion of a parcel of land situated on Arnold Road in the Town of Pittston to the First Congregational Church of Pittston.

Committee Amendment "A" (H-620)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2017, chapter 51 directs the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to transfer a .30 acre parcel of land situated on Arnold Road in the Town of Pittston, Kennebec County and recorded on the Town of Pittston property tax map U-13, Lot 9 to the First Congregational Church of Pittston.

LD 1789 An Act Authorizing Changes to the Ownership and Leases of Certain PUBLIC 362
Public Lands

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM	S-416

This bill transfers those leases of public reserved lands granted by an act of the Legislature before the establishment of an agency in the executive branch of State Government for managing leases of public reserved lands to the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Joint Standing Committee on Agriculture, Conservation and Forestry

The bill authorizes the Director of the Bureau of Parks and Lands to sell certain parcels of public reserved lands on the southwest side of West Richardson Pond to the individual lessees, sell another lot in that area via public sale and enter into a land exchange to separate common and divided interests in a parcel of land in Aroostook County.

The bill amends Resolve 2015, chapter 29, which authorized the partitioning and consolidation of common and undivided interests in the Scopan Unit and other locations. Chapter 29 involved lands in Township 11, Range 4 WELS, Township 13, Range 13 WELS and Township 12, Range 13 WELS, which are not owned by the same group of owners as those lands involved in the proposed partition of interests in Township 10, Range 4 WELS and Township 13, Range 5 WELS. At present, the partitioning and exchange of interests in Township 10, Range 4 WELS and Township 13, Range 5 WELS are ready to move forward. The bill amends chapter 29 to allow the Township 10, Range 4 WELS and Township 13, Range 5 WELS transaction to take place and further authorizes negotiations by the bureau for the State's acquisition of all of the minority common and undivided interests in Township 11, Range 4 WELS E/2 owned by parties whose interests are managed by Prentiss and Carlisle Management Company.

Committee Amendment "A" (S-416)

This amendment is the majority report of the committee and replaces the bill.

The amendment does the following:

1. Removes the provision authorizing the transfer of leases of public reserved land granted by an act of the Legislature before the establishment of an agency in the Executive Branch for managing leases and instead authorizes the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to allow the lessee of land at Long Falls Dam Road to sublease a portion of the parcel to the Maine Huts and Trails system for a parking area;
2. Amends Resolve 2013, chapter 56, which authorized the sale of lease lots in Richardson Lake public reserved lands to an association of lessees, to instead authorize the director to sell to individual lessees, and authorizing the sale of an additional parcel of public reserved lands on a small island in West Richardson Pond, and provides a description of the parcel and corrects the number of lessees as described in chapter 56;
3. Amends Resolve 2015, chapter 29, which authorizes the director to partition and consolidate common and undivided interests in lands in Township 10, Range 4 WELS and Township 13, Range 5 WELS, to remove language in the bill allowing the director to reconfigure tracts and or reconfigure the parcels to be conveyed and allowing the director to acquire interests managed by Prentiss and Carlisle Management Company in Township 11, Range 4 WELS E/2; and
4. Requires the Bureau to report to the joint standing committee of the Legislature having jurisdiction over nonreserved public lands and public reserved lands matters on the amount of funds in the public nonreserved lands acquisition fund and the Public Reserved Lands Acquisition Fund by county, including the funds received pursuant to transactions authorized by this legislation.

Enacted Law Summary

Public Law 2017, chapter 362 does the following:

1. Authorizes the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to allow the lessee of land at Long Falls Dam Road to sublease a portion of the parcel to the Maine Huts and Trails system for a parking area;
2. Amends Resolve 2013, chapter 56, which authorized the sale of lease lots in Richardson Lake public reserved lands to an association of lessees, to instead authorize the director to sell to individual lessees, and authorizing the

Joint Standing Committee on Agriculture, Conservation and Forestry

sale of an additional parcel of public reserved lands on a small island in West Richardson Pond, and provides a description of the parcel and corrects the number of lessees as described in chapter 56;

3. Amends Resolve 2015, chapter 29, which authorizes the director to partition and consolidate common and undivided interests in lands in Township 10, Range 4 WELS and Township 13, Range 5 WELS, to remove language in the bill allowing the director to reconfigure tracts and or reconfigure the parcels to be conveyed and allowing the director to acquire interests managed by Prentiss and Carlisle Management Company in Township 11, Range 4 WELS E/2; and

4. Requires the bureau to report to the joint standing committee of the Legislature having jurisdiction over nonreserved public lands and public reserved lands matters on the amount of funds in the public nonreserved lands acquisition fund and the Public Reserved Lands Acquisition Fund by county, including the funds received pursuant to transactions authorized by this public law.

LD 1809 An Act To Amend the Laws Governing the Issuance of Burn Permits

**PUBLIC 449
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T HANLEY J	OTP-AM	S-417 S-517 HAMPER J

This bill was carried over on the Special Appropriations Table from the Second Regular Session to the next special session by joint order S.P. 748.

This bill requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to allow municipalities to use burn permit software purchased from a private party to issue a permit to burn, if issuance of the permit using the burn permit software meets certain statutory requirements. The bill provides that a person may not be charged a fee for a permit to burn issued using the burn permit software and that a person may apply for a permit to burn using the burn permit software or as otherwise provided in law. The bill requires the director to approve burn permit software within 10 days after a town forest fire warden or deputy submits a request for review to the director if the burn permit software meets the requirements for approval. The bill authorizes the director to adopt major substantive rules relating to burn permit software requirements.

Committee Amendment "A" (S-417)

This amendment does the following:

1. Allows a person who is issued a burn permit electronically to produce the permit on an electronic device;
2. Removes the \$7 fee for applying for a burn permit electronically using the system developed by the State to issue burn permits;
3. Requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to allow municipalities to use burn permit software acquired from a private party to issue a permit to burn if issuance of the permit using the private party burn permit software meets certain statutory requirements;
4. Limits the number of private party burn permit software programs that may be approved and in operation in the State to two private systems. To be approved, the vendor or owner of the private party burn permit software must submit a request for review to the director. The director must approve or deny approval of the software within 10 business days. If the director denies approval of the software, the director must notify the vendor or owner of the reasons why in writing;
5. Establishes that a person who uses private party burn permit software to apply for a permit to burn may not be

Joint Standing Committee on Agriculture, Conservation and Forestry

charged a fee, and that a vendor or owner of a private party burn permit software may not charge a municipality for use of that software; and

6. Establishes that a person may not be required to apply for a permit to burn using private party burn permit software, but may apply as otherwise provided by law.

The amendment also adds an emergency preamble and an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-517)

This amendment restores the provision that requires a person to pay a \$7 fee when that person applies for and is issued a permit electronically using the system developed by the State to issue burn permits.

Enacted Law Summary

Public Law 2017, chapter 449 does the following:

1. Allows a person who is issued a burn permit electronically to produce the permit on an electronic device;
2. Requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to allow municipalities to use burn permit software acquired from a private party to issue a permit to burn if issuance of the permit using the private party burn permit software meets certain statutory requirements;
3. Limits the number of private party burn permit software programs that may be approved and in operation in the State to two private systems. To be approved, the vendor or owner of the private party burn permit software must submit a request for review to the director. The director must approve or deny approval of the software within 10 business days. If the director denies approval of the software, the director must notify the vendor or owner of the reasons why in writing;
4. Establishes that a person who uses private party burn permit software to apply for a permit to burn may not be charged a fee, and that a vendor or owner of a private party burn permit software may not charge a municipality for use of that software; and
5. Establishes that a person may not be required to apply for a permit to burn using private party burn permit software, but may apply as otherwise provided by law.

Public Law 2017, chapter 449 was enacted as an emergency measure effective July 9, 2018.

LD 1839	An Act To Amend the Law Regarding the Interest Rate for State Loans under the Potato Marketing Improvement Fund	ONTP
----------------	--	-------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	ONTP	

This bill changes the interest rate on loans made through the Potato Marketing Improvement Fund from a fixed rate of 5% to the federal prime rate at the time of loan closing or up to a maximum of 5%.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1844 An Act To Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T MARTIN J	OTP-AM ONTP OTP-AM	

This bill was reported out of committee during the Second Regular Session of the 128th Legislature and carried over to the next special session by joint order S.P. 748.

This bill requires the owner of a parcel of land that is at least 2,500 acres and that is enrolled in the Maine Tree Growth Tax Law program or is subject to the farm and open space tax law who receives an offer from a person who is not a resident of the United States to buy that parcel of land, prior to accepting the offer, to provide the State with notice of the offer. The State has 30 days to purchase the parcel of land at the price offered to the owner. If the State does not exercise its right to purchase the parcel of land, the owner may sell the parcel of land but at no less than the price offered to the State. If the State exercises its right to purchase the property, notwithstanding any provision of law to the contrary, the State is required to pay the taxes assessed on that property to the assessing authority.

Committee Amendment "A" (S-447)

This amendment is the majority report of the committee and strikes and replaces the bill.

This amendment establishes the State's right of first refusal regarding property that is more than 5,000 acres, subject to the Maine Tree Growth Tax Law program and not owned by or held in trust for a federally recognized Indian tribe in this State. The right of first refusal does not apply if the purchaser is an immediate family member. An owner who receives an offer must notify the Department of Agriculture, Conservation and Forestry of the proposed sale and the terms and conditions of the sale. The department may notify the Governor and the Legislative Council. The department has 10 business days to obtain funds to make the purchase. If the State exercises its right of first refusal, the property is nonreserved public land subject to the requirements of the Maine Revised Statutes, Title 12, chapter 220, subchapter 3 and does not change its classification under the Maine Tree Growth Tax Law. The Bureau of Parks and Lands within the department must manage the property in accordance with the Maine Tree Growth Tax Law and, using funds appropriated for that purpose by the Legislature, must make payments in lieu of taxes in an amount equal to the amount that would be paid by a private landowner to the assessing authority. If the State does not exercise its right of first refusal, the owner may sell the property to any purchaser. The department is required to adopt major substantive rules to implement these provisions.

Committee Amendment "B" (S-448)

This amendment is the minority report of the committee and is the same as the majority amendment, except that it provides that if the State does not exercise its right of first refusal, the owner may sell the property to any purchaser but at no less than the price provided to the department pursuant to Title 36, section 581-H, subsection 3 and if the owner decreases the price, the owner must resubmit the information in accordance with subsection 3.

LD 1915 An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN R DAVIS P		

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill was not referred to committee.

This bill clarifies that 7% of the day use and camping fees derived from any lands classified by the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry as parks or historic sites under jurisdiction of the bureau must be apportioned and paid to all municipalities that have any lands classified by the director as parks or historic sites under jurisdiction of the bureau within their boundaries.

Joint Standing Committee on Agriculture, Conservation and Forestry

SUBJECT INDEX

Agricultural Development

Enacted

LD 1681	An Act To Correct a Technical Error Pertaining to the Dairy Improvement Fund	PUBLIC 331 EMERGENCY
---------	--	-------------------------

Not Enacted

LD 939	An Act To Protect Maine's Agriculture	ONTP
LD 1747	Resolve, To Establish a Task Force To Examine Agricultural Issues	Veto Sustained
LD 1839	An Act To Amend the Law Regarding the Interest Rate for State Loans under the Potato Marketing Improvement Fund	ONTP

Animal Welfare

Enacted

LD 858	An Act To Strengthen the Law Regarding Dangerous Dogs and Nuisance Dogs	PUBLIC 404
--------	---	------------

Department of Agriculture, Conservation and Forestry

Enacted

LD 1647	Resolve, Authorizing Certain Land Transactions by the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry	RESOLVE 29 EMERGENCY
---------	---	-------------------------

Not Enacted

LD 1662	Resolve, Regarding Legislative Review of Portions of Chapter 307: Fees for Testing Weighing and Measuring Devices, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry	Leave to Withdraw Pursuant to Joint Rule 310
---------	---	--

Food Policy

Enacted

LD 1584	An Act To Expand the Local Foods Economy by Promoting Local Foods Procurement	PUBLIC 437
LD 1648	An Act To Amend the Law Recognizing Local Control Regarding Food Systems and Require Compliance with Federal and State Food Safety Regulations	PUBLIC 314 EMERGENCY

Not Enacted

LD 173	An Act To Reduce Food Insecurity	Died On Adjournment
--------	----------------------------------	------------------------

Harness Racing

Enacted

LD 1766 An Act To Improve Marketing Efficiency in the Harness Racing Industry by Requiring Its Promotion by the State Harness Racing Commission and by Repealing the Harness Racing Promotional Board PUBLIC 371

Maine Forest Service

Enacted

LD 8 An Act To Provide Training for Forest Rangers To Carry Firearms PUBLIC 456

LD 1809 An Act To Amend the Laws Governing the Issuance of Burn Permits PUBLIC 449
EMERGENCY

Miscellaneous

Not Enacted

LD 637 An Act To Protect Maine's Lands ONTP

Parks and Public Lands

Enacted

LD 1773 Resolve, Directing the Bureau of Parks and Lands To Transfer Land in the Town of Pittston RESOLVE 51

LD 1789 An Act Authorizing Changes to the Ownership and Leases of Certain Public Lands PUBLIC 362

Not Enacted

LD 1127 An Act To Provide Occupants of Motor Vehicles with Gold Star Family Registration Plates Free Entry to State Parks Died On
Adjournment

LD 1574 Resolve, To Require Greater Clearing of Vegetation along Portions of Route 161 in the Town of Allagash ONTP

LD 1739 Resolve, Authorizing the Lease of the Colonial Pemaquid State Historic Site Majority (ONTP)
Report

LD 1915 An Act To Clarify Which Municipalities May Receive a Portion of Day Use and Camping Fees from State Parks and Historic Sites Veto Sustained

Pesticides

Not Enacted

LD 174 An Act To Require Schools To Submit Pest Management Activity Logs and Inspection Results to the Board of Pesticides Control for the Purposes of Providing Information to the Public Died On
Adjournment

Regulated Products

Not Enacted

LD 742 An Act To Allow Hemp Growers To Grow Hemp from Clones and To Grow Hemp Indoors Majority (ONTP)
Report

LD 1611	An Act To Protect Persons Who Cultivate, Process, Buy and Sell Hemp	Majority (ONTP) Report
---------	---	---------------------------

Timber Harvesting

Not Enacted

LD 1844	An Act To Provide the State the Right of First Refusal for the Purchase of Certain Land on Which a Subsidy Has Been Paid	Died On Adjournment
---------	---	------------------------