

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Environment and Natural Resources

LD 900 **An Act To Reduce Fraud in Bottle Deposit Redemption**

ONTP

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

This bill allows an initiator of deposit to bring a civil action against any person, other than a licensed redemption center, who is found in possession of or knowingly tenders to a redemption center or retailer more than 48 beverage containers that were not originally sold in this State. This bill also increases the penalty for possession of containers not originally sold in this State to be consistent with the penalty for tendering such containers and removes reference to a first-year warning period from the penalty provision.

LD 930 **An Act To Clarify Maine's Phaseout of the "Deca" Mixture of Polybrominated Diphenyl Ethers**

**PUBLIC 160
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SNOWE-MELLO	OTP-AM	H-152

This bill amends the law to allow for the replacement of the "deca" mixture of polybrominated diphenyl ethers as a flame retardant with a brominated or chlorinated flame retardant, as long as the replacement is not a persistent, bioaccumulative and toxic chemical and does not create another chemical as a breakdown product that is persistent, bioaccumulative and toxic.

Committee Amendment "A" (H-152)

This amendment replaces the bill. The amendment allows for the replacement of the "deca" mixture of polybrominated diphenyl ethers with a chemical that is a brominated or chlorinated flame retardant if it is demonstrated to the satisfaction of the Commissioner of Environmental Protection that the replacement flame retardant is a safer alternative. The bill allowed the replacement of the "deca" mixture with a brominated or chlorinated flame retardant without the need for the commissioner to determine that the replacement flame retardant is a safer alternative.

Enacted Law Summary

Public Law 2011, chapter 160 allows for the replacement of the "deca" mixture of polybrominated diphenyl ethers with a chemical that is a brominated or chlorinated flame retardant if it is demonstrated to the satisfaction of the Commissioner of Environmental Protection that the replacement flame retardant is a safer alternative.

Public Law 2011, chapter 160 was enacted as an emergency measure effective May 26, 2011.