

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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

- 2. It amends the definition of "disposable food service container" to provide a cross-reference for the term "prepared food" and to clarify that "disposable food service container" does not include items composed entirely of paper or aluminum and does not include polystyrene foam coolers and ice chests that are intended for reuse or for the shipping or transportation of prepared food; and
- 3. It provides that the prohibition in the bill does not apply to the use of disposable food service containers necessary for compliance with applicable state or federal food safety laws, rules or regulations.

LD 551 An Act To Provide Incentives for Implementation of Municipal Comprehensive Plans To Prevent Sprawl

Leave to Withdraw Pursuant to Joint Rule

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide incentives to municipalities that implement comprehensive plans to prevent sprawl.

LD 568 An Act To Protect Maine Lakes

PUBLIC 75

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN BREEN	OTP-AM	H-66

This bill amends the laws governing the Lakes Assessment and Protection Program. It also creates a prohibition on the application of fertilizers within 25 feet of the normal high-water line of a great pond, with exceptions for persons involved in agriculture.

Committee Amendment "A" (H-66)

This amendment replaces the bill and creates a prohibition on the application of fertilizers containing phosphorus or nitrogen within 25 feet of the normal high-water line of a great pond, except that a person may apply a fertilizer within 25 feet but not closer than 10 feet of the normal high-water line of a great pond using a drop spreader, rotary spreader with a deflector or targeted spray liquid.

Enacted Law Summary

Public Law 2015, chapter 75 creates a prohibition on the application of fertilizers containing phosphorus or nitrogen within 25 feet of the normal high-water line of a great pond, except that a person may apply a fertilizer within 25 feet but not closer than 10 feet of the normal high-water line of a great pond using a drop spreader, rotary spreader with a deflector or targeted spray liquid.

LD 580 An Act To Extend the Funding Period for Landfill Closure Costs

PUBLIC 302

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE SAVIELLO	OTP-AM	H-115

Joint Standing Committee on Environment and Natural Resources

Under current law, the Department of Environmental Protection pays 75 percent of certain landfill closure costs incurred on or after July 1, 1994 and before December 31, 2015. This bill extends that time period to December 31, 2025.

Committee Amendment "A" (H-115)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-113)

This amendment changes the date by which a license must have been issued for a landfill from September 1, 1989 to January 10, 1990 in order for the Department of Environmental Protection to pay 75 percent of certain closure costs for that landfill. It also adds an appropriations and allocations section.

This amendment was not adopted.

Senate Amendment "B" (S-182)

This amendment provides that a license application for a landfill received on or before September 1, 1989 makes the landfill eligible for payment of 75 percent of certain landfill closure costs by the Department of Environmental Protection. It also adds an appropriations and allocations section.

This amendment was not adopted.

Enacted Law Summary

Public Law 2015, chapter 302 authorizes the Department of Environmental Protection to pay 75 percent of certain landfill closure costs incurred on or after July 1, 1994 and before December 31, 2025.

LD 588 An Act To Revise the Mining Laws

**Leave to Withdraw
Pursuant to Joint
Rule**

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the laws governing metallic mineral mining.

LD 595 An Act To Reduce Carbon Emissions from Residential Heating

ONTP

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

This bill requires the Department of Environmental Protection to set aside no less than \$200,000 per year of the revenue resulting from the sale of carbon dioxide emissions allowances for the purchase of high-efficiency wood stoves through financial incentives as determined by the department by rule.