

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
127<sup>TH</sup> 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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# STATE OF MAINE

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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 127<sup>th</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 127<sup>th</sup> 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***

**LD 596      An Act To Allow for the Purchase and Use of Specialty Racing Fuel in      ONTP**  
**Maine**

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

This bill allows gasoline containing more than half of one percent by volume methyl tertiary butyl ether (MTBE) to be sold for or used by a motor vehicle in a race, as long as the gasoline containing MTBE is sold and distributed in prepackaged drums, pails or other containers.

**LD 602      An Act To Amend the Laws Governing the Prohibition on the Sale of      Accepted Majority**  
**Motor Fuel Containing Corn-based Ethanol      (ONTP) Report**

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

Current law provides that the prohibition on the sale of motor fuel containing corn-based ethanol does not take effect until at least 10 other states or a number of states with a collective population of 30,000,000 have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol. This bill amends the law to provide that this prohibition takes effect if at least three other states have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol.

**Committee Amendment "A" (H-79)**

This amendment, which is the minority report of the committee, provides that the prohibition on the sale of motor fuel containing corn-based ethanol does not take effect until at least three of the other New England states, Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont, have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol.

**LD 603      An Act To Achieve Regional Uniformity in Sulfur Standards for Heating      PUBLIC 66**  
**Oil**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	OTP-AM	H-47

This bill delays by six months the implementation of the statewide prohibition on the use of any but ultra low sulfur distillate fuel.

**Committee Amendment "A" (H-47)**

This amendment replaces the bill, retaining the six-month delay on the implementation of the statewide prohibition on the use of any but ultra low sulfur distillate fuel, but clarifying that the prohibition applies to the importation, distribution and offering for sale, rather than the use, of any but ultra low sulfur distillate fuel. The amendment also incorporates the change in the implementation date and the prohibition language throughout the statutory section.

**Enacted Law Summary**

Public Law 2015, chapter 66 delays by six months the implementation of the statewide prohibition on the

**Joint Standing Committee on Environment and Natural Resources**

importation, distribution or offering for sale of any but ultra low sulfur distillate fuel.

**LD 659      Resolve, To Increase Recycling in Maine through Increased Composting and Energy Recovery from Organic Wastes      ONTP**

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

This resolve requires the Department of Environmental Protection, with input from stakeholders, to develop a comprehensive strategy to encourage composting and energy recovery from food waste and other organic wastes. It also requires the department to submit the strategy and related recommendations to the Joint Standing Committee on Environment and Natural Resources by January 15, 2016.

**LD 680      An Act To Reduce Waste from Disposable Bags      Accepted Majority (ONTP) Report**

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

This bill requires a retailer to assess a 5¢ fee for a single-use disposable plastic or kraft paper bag distributed to a customer at the point of retail sale. The retailer retains 1¢ from each 5¢ fee for administrative costs and may elect to retain an additional 1¢ from each 5¢ fee to provide a carryout program that credits a customer no less than 5¢ for each bag provided by the customer at the point of retail sale for packaging purchases. The revenues from the fee, less the portion retained by the retailer for administrative costs and, if applicable, the carryout program, are credited to the Plastics and Paper Recycling Fund administered by the Department of Environmental Protection for the purpose of promoting recycling efforts in the State related to plastics and paper. A retailer must provide reusable bags for purchase by customers. This bill authorizes the Department of Environmental Protection to enforce these laws and impose penalties for violations. This bill also directs that, by January 1, 2016, the Department of Environmental Protection must conduct a public information campaign relating to plastics and paper and their impact on the environment and must implement an outreach campaign aimed at providing reusable bags to residents of the State, especially to elderly and low-income households.

**Committee Amendment "A" (H-84)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

**LD 712      An Act To Increase Organic Waste Recycling in the State      ONTP**

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

This bill enacts a statutory provision directing the Department of Environmental Protection to track state, regional, municipal and local organic waste recycling efforts and, as resources allow, to develop, implement and administer programs to encourage or support organic waste recycling in the State. The department is directed to submit by January 15, 2017, and annually thereafter, a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing its findings and any recommendations