

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2019

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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 129th 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.

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 129th Legislature is Thursday, September 19, 2019. 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 61 An Act To Improve the Maine Bottle Redemption Process ONTP

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to simplify and improve the efficiency of the bottle redemption process.

LD 87 An Act To Increase the Bottle Redemption Deposit ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEEBE-CENTER P JACKSON T	ONTP	

This bill increases to 25¢ the deposit and refund value on refillable and nonrefillable beverage containers whose deposit and refund value is currently 5¢. This increase does not apply to wine and spirits containers.

LD 93 An Act To Amend the Laws Governing Bottle Redemption To Counterbalance for Redemption Centers the Increase in Minimum Wage ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D CARPENTER M	ONTP	

This bill increases by 1¢ per returned container the handling costs to be reimbursed to the dealer or local redemption center for the cost of handling beverage containers beginning March 1, 2020.

LD 102 An Act To Improve the Manufacturing of Plastic Bottles and Bottle Caps CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUDERA V MIRAMANT D		

This bill prohibits, beginning January 1, 2020, a manufacturer from selling, offering for sale or distributing for sale in the State a single-use plastic beverage container unless the container is composed of at least 15% postconsumer recycled plastic. Beginning January 1, 2022, this threshold for the percentage of postconsumer recycled plastic in single-use plastic beverage containers increases to 20% and, beginning January 1, 2024, the threshold increases to 25%.

The bill also prohibits, beginning January 1, 2020, a manufacturer from selling, offering for sale or distributing for sale in the State a single-use plastic beverage container with a plastic beverage cap unless the cap is composed of the same plastic as the beverage container and the cap is tethered to the container in a manner that prevents the separation of the cap from the container when the cap is removed or the cap includes an opening from which the

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beverage can be consumed while the cap remains screwed onto or otherwise affixed to the container.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 112 An Act To Implement Changes to Maine's Solid Waste Laws Pursuant to PUBLIC 291
a Review of the State Waste Management and Recycling Plan**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER R	OTP-AM	H-439

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to implement changes to the laws governing the management, reduction and recycling of solid waste determined necessary based on a review of revisions to the state waste management and recycling plan prepared by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, section 2122 and submitted to the joint standing committee of the Legislature having jurisdiction over natural resources matters pursuant to Title 38, section 2124.

Committee Amendment "A" (H-439)

This amendment replaces the bill, which is a concept draft, and makes the following changes to the State's solid waste management laws.

Part A of the amendment:

1. Amends a definition in the State's solid waste management laws for the term "bypass";
2. Specifies through legislative findings and statements of legislative intent that the purpose, management and operation of State-owned solid waste disposal facilities must be consistent with the solid waste management hierarchy under the Maine Revised Statutes, Title 38, section 2101;
3. Stipulates that the Department of Environmental Protection may authorize the land disposal of non-bypass, unprocessed municipal solid waste at State-owned solid waste disposal facilities only when a specific need for the disposal has been identified by the Department of Administrative and Financial Services, Bureau of General Services and the facility operator, the disposal is consistent with the solid waste management hierarchy and options for the management of the waste that represent a higher priority on the hierarchy are not otherwise reasonably available; and
4. Authorizes the Department of Environmental Protection to limit the volume of municipal solid waste disposed of at a State-owned solid waste disposal facility and the duration of such disposal through imposition of such limitations under the facility's license.

Part B of the amendment:

1. Requires that, beginning March 1, 2020 and annually thereafter, a recycling establishment engaged in the marketing, brokering or purchasing of recyclable materials generated in the State report to the department regarding its recycling of such materials;
2. Clarifies the existing recycling reporting requirement for municipalities and changes the reporting to biennial rather than annual; and
3. Changes the existing due date for the department's report on statewide generation of solid waste, recycling rates