

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

July 2009

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STATE OF MAINE

124TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill 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 bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

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practicable within seven months of its completion. A support or substructure for the structure may remain if the support or substructure does not interfere with any natural element or process.

LD 536 An Act To Enhance Maine's Electronic Waste Recycling Law

PUBLIC 397

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK GOODALL	OTP-AM MAJ OTP-AM MIN	H-499 S-307 GOODALL

This bill amends Maine's electronics recycling laws to do the following.

1. It adds desktop printers and video game consoles to the electronic devices covered by the recycling laws.
2. It clarifies that digital picture frames are a type of computer monitor and, as such, are subject to the recycling laws.
3. It repeals provisions that currently require manufacturers of covered electronic devices to submit a recycling plan and an annual report to the Department of Environmental Protection and replaces the repealed manufacturer responsibility provisions with an annual registration requirement.

Committee Amendment "A" (H-499)

This amendment is the majority report of the committee. The amendment requires manufacturers of computer monitors, televisions, desktop printers and video game consoles to pay an annual registration fee of \$3,000. Effective January 1, 2010, it changes the basis for video game console manufacturers' responsibility for recycling video game consoles to a market share basis and it removes television manufacturers' responsibility for recycling televisions under a return share basis.

Committee Amendment "B" (H-500)

This amendment is the minority report of the committee. Effective January 1, 2010, it changes the basis for video game console manufacturers' responsibility for recycling video game consoles to a market share basis and it removes television manufacturers' responsibility for recycling televisions under a return share basis. It differs from the majority report in that it does not require manufacturers of computer monitors, televisions, desktop printers and video game consoles to pay an annual registration fee of \$3,000. This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-307)

This amendment corrects a conflict between the enacted versions of LD 536 and LD 1156. It incorporates the changes made in this bill to those recently enacted in Public Law 2009, chapter 231. This amendment strikes the emergency preamble and emergency clause and extends the date by which manufacturers must submit the first registration from July 1, 2009 to July 1, 2010.

Enacted Law Summary

Public Law 2009, chapter 397 amends Maine's electronics recycling laws to do the following.

1. It adds desktop printers and video game consoles to the electronic devices covered by the recycling laws.
2. It clarifies that digital picture frames are a type of computer monitor and, as such, are subject to the recycling laws.

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- 3. It provides for desktop printer manufacturers' responsibility for recycling under a return share basis and video game console manufacturers' responsibility for recycling under a market share basis.
- 4. It requires manufacturers of computer monitors, televisions, desktop printers and video game consoles to register with the Department of Environmental Protection and pay an annual registration fee of \$3,000.
- 5. It incorporates the provisions of the adopted amendments into the changes enacted in Public Law 2009, chapter 231.

LD 644 An Act To Allow the Sale and Use of Fuel Containing MTBE in a Vehicle in a Competitive Event

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEWIN NASS R	ONTP MAJ OTP MIN	

This bill allows gasoline containing MTBE to be sold for or used by a motor vehicle in a race as long as the gasoline with MTBE is sold and distributed in prepackaged drums, pails or containers.

LD 645 An Act To Provide for Municipal Oversight and Authority over Groundwater Extraction

ONTP

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

This bill amends the law governing the authority of municipal officers to adopt regulations governing the surface uses of public water sources. It adds the authority to adopt regulations governing the extraction and removal of groundwater, spring water or water from aquifers. It also amends current law by authorizing municipal officers to regulate surface uses of land overlying groundwater aquifers and their recharge areas used as sources for private wells for domestic purposes. The bill also provides that if such a regulation is ratified by the legislative body of a municipality, the municipal officers must submit for approval an ordinance governing the pumping or extraction of groundwater, spring water or water from aquifers.

LD 646 An Act To Improve the Water Quality of Maine's Rivers

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend current law to prohibit all discharges from pulp and paper mills and municipalities into rivers in the State.