

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<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**

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 125<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. 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 125<sup>th</sup> 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**

tanks that have been out of service for a period of more than 24 months from being brought back into service without the written approval of the Commissioner of Environmental Protection. It directs the Department of Environmental Protection to report to the Fund Insurance Review Board data and associated information related to incidents of leaks or spills resulting from the double-walled underground oil storage tank exception to the otherwise mandatory replacement upon the expiration of the manufacturer's warranty. It directs the Department of Environmental Protection to amend its rules to allow the retrofitting of single-walled underground storage tanks with secondary containment systems prior to the expiration of the tank manufacturer's warranty and to allow the upgrading of related piping.

**LD 728      An Act To Reduce Truck Travel Caused by the Bottle Redemption Laws      ONTP**

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

This bill removes the current obligation in rule that requires a distributor to pick up a redemption center every time the distributor makes a delivery of product to any dealer or retailer that has an agreement with that redemption center. It replaces that obligation with a statutory obligation to pick up beverage containers at every redemption center every 30 days and to make additional pick ups when the redemption center has accumulated \$750 worth of beverage containers.

**LD 733      An Act To Allow a Person Who Has Lost a Home in a Shoreland Zone To Obtain a Building Permit      ONTP**

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

This bill allows an owner of a structure in a shoreland zone up to 36 months to obtain a building permit to rebuild or replace the structure when the structure has been removed, damaged or destroyed to the extent that it has lost over 50% of its market value.

**LD 781      An Act To Establish Flushability Standards for Consumer Products Advertised as Flushable      Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WALSH INNES		

This bill prohibits the packaging or labeling of consumer products for distribution or sale in the State if the package or label states that the product is flushable or safe for sewer and septic systems unless the product meets the acceptance criteria for flushability as published in the Guidance Document for Assessing the Flushability of Nonwoven Consumer Products, published by the Association of the Nonwoven Fabrics Industry in effect on January 1, 2011.