

# 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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**STAFF:**

SUSAN Z. JOHANNESMAN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

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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*

**LD 900**

**An Act To Reduce Fraud in Bottle Deposit Redemption**

**ONTP**

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

This bill allows an initiator of deposit to bring a civil action against any person, other than a licensed redemption center, who is found in possession of or knowingly tenders to a redemption center or retailer more than 48 beverage containers that were not originally sold in this State. This bill also increases the penalty for possession of containers not originally sold in this State to be consistent with the penalty for tendering such containers and removes reference to a first-year warning period from the penalty provision.

**LD 930**

**An Act To Clarify Maine's Phaseout of the "Deca" Mixture of Polybrominated Diphenyl Ethers**

**PUBLIC 160  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SNOWE-MELLO	OTP-AM	H-152

This bill amends the law to allow for the replacement of the "deca" mixture of polybrominated diphenyl ethers as a flame retardant with a brominated or chlorinated flame retardant, as long as the replacement is not a persistent, bioaccumulative and toxic chemical and does not create another chemical as a breakdown product that is persistent, bioaccumulative and toxic.

**Committee Amendment "A" (H-152)**

This amendment replaces the bill. The amendment allows for the replacement of the "deca" mixture of polybrominated diphenyl ethers with a chemical that is a brominated or chlorinated flame retardant if it is demonstrated to the satisfaction of the Commissioner of Environmental Protection that the replacement flame retardant is a safer alternative. The bill allowed the replacement of the "deca" mixture with a brominated or chlorinated flame retardant without the need for the commissioner to determine that the replacement flame retardant is a safer alternative.

**Enacted Law Summary**

Public Law 2011, chapter 160 allows for the replacement of the "deca" mixture of polybrominated diphenyl ethers with a chemical that is a brominated or chlorinated flame retardant if it is demonstrated to the satisfaction of the Commissioner of Environmental Protection that the replacement flame retardant is a safer alternative.

Public Law 2011, chapter 160 was enacted as an emergency measure effective May 26, 2011.