

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH 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 125th 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 125th 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

8. The definition of "consumer product" is narrowed to mean items sold for indoor use in a residence, child care facility or school, or for outdoor residential use if children may have direct contact with the items.
9. Definitions of "credible scientific evidence" and "practical quantification limit" have been added.
10. The criteria to be considered for designating a priority chemical are reduced from 6 to 3.
11. In determining whether a safer alternative is available, the Department of Environmental Protection may presume that a safer alternative is available if another state bans that chemical only if that state based its action on the availability of safer alternatives.
12. It provides that the Department of Environmental Protection may consider the extent to which a chemical is adequately regulated by the Federal Government or another state agency in Maine in exercising its discretionary authority under the law.
13. It provides that the following are exempt from the requirements for disclosing information for priority chemicals and from any sales prohibition:
 - A. Inaccessible components, except that the Department of Environmental Protection may adopt a rule based on a case-by-case evaluation to subject inaccessible components to those requirements; and
 - B. A priority chemical that occurs in a product component only as a contaminant, if the manufacturer had a manufacturing control plan and exercised due diligence.
14. It allows a manufacturer 30 days instead of 10 days to respond to the Department of Environmental Protection's request for a certificate of compliance.
15. It provides that any reporting requirements for products containing existing priority chemicals that have been adopted by rule by the Department of Environmental Protection are extended to the effective date of this legislation. It makes this provision retroactive to the date the reports are currently required, July 8, 2011.

LD 1146 Resolve, To Direct the Department of Environmental Protection To ONTP
Adopt Rules Establishing Sound Level Limits for Wind Turbines

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

This resolve directs the Department of Environmental Protection to adopt rules regulating sound level limits for industrial grade wind turbines for sound generated both in the audible range and in the low frequency subaudible range.

LD 1156 An Act To Exempt from Subdivision Requirements Land Sold by 65 ONTP
Years of Age or Older Persons

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