

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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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 126th 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 126th Legislature is October 9, 2013. 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 7 An Act To Equalize the Premiums Imposed on the Sale of Motor Vehicle Oil

**ACCEPTED
MAJORITY
(ONTP) REPORT**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HARVELL | ONTP OTP-AM | |

This bill amends the law relating to the waste motor oil revenue fund by equalizing the premium for all motor vehicle oil, regardless of the container size, at 35¢ per gallon.

Committee Amendment "A" (H-44)

This amendment is the minority report of the committee and incorporates a fiscal note.

This amendment was not adopted.

LD 28 An Act To Reduce Air Pollution from Trains

**LEAVE TO
WITHDRAW**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GERZOFSKY DION | | |

This bill prohibits the operation of diesel-powered locomotives in a manner that causes or contributes to air pollution in the State and prohibits the unnecessary idling of diesel-powered locomotives for longer than 30 minutes. It also directs the Department of Environmental Protection to submit to the United States Environmental Protection Agency a revision to the state implementation plan that incorporates these provisions, and delays the prohibition until 30 days after notification from the department that the United States Environmental Protection Agency has approved the revision.

LD 105 An Act To Allow Motor Fuel Containing Five Percent Ethanol To Be Sold in the State

**DIED BETWEEN
HOUSES**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| TIMBERLAKE MASON G | ONTP OTP | |

This bill allows a distributor, blender or retail dealer of gasoline in the State to sell, consign or distribute, in addition to any other gasoline offered, gasoline containing only 5% ethanol.

LD 115 An Act To Join in a Prohibition on Motor Fuel Containing Corn-based Ethanol

PUBLIC 249

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| TIMBERLAKE MASON G | OTP ONTP | S-105 MASON G |

Joint Standing Committee on Environment and Natural Resources

This bill prohibits the sale of motor fuel that contains corn-based ethanol if at least two other New England states pass a similar prohibition.

Senate Amendment "A" (S-105)

This amendment changes the number of states required for the corn-based ethanol prohibition to take effect from two other New England states to ten states or a number of states with a collective population of 30,000,000.

Enacted Law Summary

Public Law 2013, chapter 249 prohibits the sale of motor fuel that contains corn-based ethanol if at least 10 states or a number of states with a collective population of 30,000,000 pass a similar prohibition.

LD 124 An Act To Amend the Bottle Redemption Laws ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHERMAN | ONTP | |

This bill allows the Department of Agriculture, Conservation and Forestry to license up to two redemption centers for a municipality with a population of no more than 5,000 upon approval by the governing body of the municipality. Currently, department rules allow only one redemption center to be licensed in a municipality with a population of 5,000 or less.

LD 141 Resolve, Directing the Department of Environmental Protection To RESOLVE 43
Develop Quantitative Odor Management Standards

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| FREDETTE CUSHING | OTP-AM ONTP | H-144 S-89 SAVIELLO |

This resolve requires the Department of Environmental Protection to adopt odor management standards that can be quantitatively measured for septage and wastewater treatment sludge processing facilities.

Committee Amendment "A" (H-144)

This amendment, which is the majority report of the committee, adds a date by which the Department of Environmental Protection is required to adopt rules under the resolve (March 15, 2014). The amendment also directs the department to submit a summary of the rules to the Joint Standing Committee on Environment and Natural Resources by March 30, 2014.

Senate Amendment "A" (S-89)

This amendment clarifies that the rules required by the resolve are directed at facilities that process wastewater treatment sludge from publicly owned treatment works and facilities that process septage.

Enacted Law Summary

Resolve 2013, chapter 43 requires the Department of Environmental Protection to adopt rules containing odor management standards that can be quantitatively measured for facilities that process wastewater treatment sludge from publicly owned treatment works and facilities that process septage. The department is required to adopt the rules by March 15, 2014 and to submit a summary of the rules to the Joint Standing Committee on Environment and Natural Resources by March 30, 2014.