

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<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 2013

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# STATE OF MAINE

126<sup>TH</sup> 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 126<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 126<sup>th</sup> 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*

Environmental Protection.

**Enacted Law Summary**

Resolve 2013, chapter 44 provides for legislative review of portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a major substantive rule of the Department of Environmental Protection.

Resolve 2013, chapter 44 was finally passed as an emergency measure effective June 4, 2013.

**LD 907 An Act To Encourage Recycling**

**ONTP**

Sponsor(s)

STANLEY

Committee Report

ONTP

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to impose a fee of \$15 per ton on the disposal of solid waste at solid waste disposal facilities and solid waste processing facilities. The fee is also imposed on the movement of solid waste from one solid waste facility to another solid waste facility. Under the bill, no category of solid waste may be exempted from the fee and the fee must be paid to the State. Revenue from the fee must be distributed as follows.

1. The first priority must be given to providing grants to municipalities for costs related to the fee:
  - A. For recyclable materials, a municipality may receive grants equal to 1.3 times the fee paid by the municipality for disposal of the recyclable materials;
  - B. For all other materials, a municipality may receive grants equal to the fee paid by the municipality for disposal of the materials; and
  - C. The total grants awarded to municipalities may not exceed the total revenue collected from the \$15 per ton fee.
2. Revenue in excess of municipal grants must be distributed to school districts. The amount distributed to each school district must be computed by dividing the revenue from the fee in excess of grants to municipalities by the total number of students in prekindergarten to 12th grade in the State and multiplying the quotient by the number of students in the school district.

**LD 966 An Act To Clarify an Exemption to the Municipal Subdivision Laws**

**PUBLIC 126**

Sponsor(s)

MORIARTY  
KATZ

Committee Report

OTP

Amendments Adopted

This bill amends the subdivision law exemption for transfers to abutting landowners. The bill provides that a parcel of land created by a division that is transferred to an owner abutting that parcel is not subject to municipal subdivision review and regulation.

**Enacted Law Summary**

**Joint Standing Committee on Environment and Natural Resources**

Public Law 2013, chapter 126 amends the subdivision law exemption for transfers to abutting landowners. It provides that a parcel of land created by a division that is transferred to an owner abutting that parcel is not subject to municipal subdivision review and regulation.

**LD 1028      Resolve, Authorizing a Visual Impact Assessment of Roxbury Pond and Webb Lake      ONTP**

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

This resolve directs the Department of Environmental Protection to authorize a visual impact assessment be done by an independent 3rd party to review the scenic and visual attributes of Roxbury Pond in the Town of Roxbury, Oxford County and Webb Lake in the Town of Weld, Franklin County.

**LD 1050      An Act Requiring the Labeling of Food Packaging That Contains Bisphenol A      ACCEPTED MAJORITY (ONTP) REPORT**

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

This bill requires that products containing bisphenol A, or BPA, that are designed to hold or contain products that are ingested or consumed by humans must be labeled as containing BPA.

**Committee Amendment "A" (H-210)**

This amendment is the minority report of the committee. It adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1058      Resolve, Directing the Department of Environmental Protection To Set the Motor Vehicle Fuel Volatility Level for the State      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY A TUTTLE	ONTP	

This bill directs the Department of Environmental Protection to adopt rules to allow gasoline with a Reid Vapor Pressure of 9.0 psi to be sold in all counties of the State year-round.

**LD 1059      An Act To Protect Maine's Environment and Natural Resources Jeopardized by Mining      ACCEPTED MAJORITY (ONTP) REPORT**

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