

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

STAFF:

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

MEMBERS:

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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

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 | |

Joint Standing Committee on Environment and Natural Resources

This bill repeals changes to the mining laws enacted in 2012 and scheduled to take effect June 1, 2014 and authorizes the Maine Land Use Planning Commission and the Department of Environmental Protection to adopt emergency rules as necessary.

Committee Amendment "A" (H-375)

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

This amendment was not adopted.

LD 1080 An Act To Improve Efficiency in the Collection of Beverage Containers

PUBLIC 275

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HAMPER | OTP-AM | S-116 |

This bill:

1. Requires that collections from redemption centers be made by a distributor or commingling group of distributors every 15 days and requires additional pickups to be made when the redemption center has more than 10,000 beverage containers from that distributor or group of distributors;
2. Establishes a process for audits of plastic bags containing beverage containers submitted for acceptance to a distributor; and
3. Provides that the licensing provisions apply to all licensed redemption centers, notwithstanding any other provision of law to the contrary.

Committee Amendment "A" (S-116)

This amendment strikes the provision in the bill that establishes a process for audits of plastic bags containing beverage containers submitted for acceptance to a distributor and adds a requirement that the Department of Agriculture, Conservation and Forestry adopt rules for conducting audits on containers presented to distributors by redemption centers as ready for redemption. The amendment strikes the provision in the bill relating to the counting of all redemption centers when calculating the number of centers in a municipality. The amendment retains the provisions in the bill requiring that collections from redemption centers be made every 15 days and additional pickups be made when the redemption center has more than 10,000 beverage containers. The amendment also adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 275 requires that collections from redemption centers be made by a distributor or commingling group of distributors every 15 days and requires additional pickups to be made when the redemption center has more than 10,000 beverage containers from that distributor or group of distributors. It also requires the Department of Agriculture, Conservation and Forestry to adopt rules for conducting audits on containers presented to distributors by redemption centers as ready for redemption.