

# 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

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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*

discharges of pesticides that may be approved under this bill are discharges that are:

1. Unintended and an incidental result of the spraying of pesticides;
2. Applied in compliance with federal labeling restrictions; and
3. Applied in compliance with statute, Board of Pesticides Control rules and best management practices.

**LD 1483**

### **An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste**

**CARRIED OVER**

Sponsor(s)

CAIN  
STANLEY

Committee Report

Amendments Adopted

The purpose of this bill is to assist in the stabilization of the statutorily established solid waste management hierarchy, to promote and strengthen the waste management system in the State and to enhance the continued operation of the existing waste processing incineration facilities located in the State. This bill directs the Department of Environmental Protection to:

1. Impose on each licensed landfill a solid waste stabilization assessment on all solid waste, including, but not limited to, household and commercially sourced solid waste and all other material deposited at the licensed landfill;
2. Deposit solid waste stabilization assessment funds in a solid waste stabilization account within the Maine Solid Waste Management Fund;
3. Disburse the funds from the solid waste stabilization account through periodic payments to qualified municipalities and recycling and composting programs located in the State; and
4. Develop a process to maximize the use of existing incineration facilities in the State and increase the amount of Maine-sourced solid waste that is processed at those facilities annually and report its recommendations to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2014.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1490**

### **An Act To Amend the Mandatory Shoreland Zoning Laws**

**PUBLIC 320**

Sponsor(s)

SHERMAN

Committee Report

OTP-AM  
OTP-AM  
ONTP

Amendments Adopted

S-211

This bill makes the following changes to the laws governing mandatory shoreland zoning.

1. It changes the laws regulating the circumstances under which nonconforming structures in the shoreland zone may be expanded.
2. It changes the basis of measurement for the "height of a structure" from the downhill side of the structure to the uphill side of the structure.