

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 1497

**An Act To Make Minor Changes and Corrections to Statutes
Administered by the Department of Environmental Protection**

PUBLIC 300

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WELSH	OTP-AM OTP	H-300

This bill makes the following changes to the laws administered by the Department of Environmental Protection.

1. It removes references to the Land and Water Resources Council.
2. It removes a requirement that notice of environmental agency adjudicatory proceedings must include issuance of press releases and public service radio and television announcements.
3. It corrects references in statute to the "Maine Fuel Board."
4. It repeals a statutory reporting requirement of the Technical and Environmental Assistance Program that is administered by the Office of Pollution Prevention. The reporting requirement that is repealed is a requirement to prepare reports periodically on the status of the program for distribution to the public, the Legislature and other appropriate federal and state agencies.
5. It provides that air emission license fees must be assessed to support activities for "air quality control" instead of for "the Bureau of Air Quality Control."
6. Under the provision of law dealing with annual air emissions license fees, rock crushers regulated under a general permit from the department are subject to an annual fee not to exceed the minimum license fee otherwise established under the air emissions license statute. This bill extends that provision to all licensees regulated under a general permit, not just rock crushers.
7. It changes the cap for personal services under the Ground Water Oil Clean-up Fund to \$4,500,000.
8. It clarifies that routine technical rulemaking establishing testing protocols and measurement methods related to emission standards for mercury is undertaken by the department in conformance with section 341-H.
9. It changes the date for implementing the low sulfur distillate fuel requirements from January 1 2016 to July 1, 2016.
10. It changes certain solid waste management reporting requirements of the department from biennial reports to annual reports and includes the reports in the annual solid waste generation and disposal capacity report.
11. It removes a reference to the Technical and Environmental Assistance Program in a directive for the department to assist municipalities with managing solid waste. It removes a grant preference for municipalities that participate in a household hazardous waste collection region. It repeals preferences for municipalities that participate in a household hazardous waste collection region.

Committee Amendment "A" (H-300)

This amendment is the majority report of the committee and provides that disbursements from the Ground Water Oil Clean-up Fund for personal services may not exceed \$4,500,000 per year as adjusted by the Consumer Price Index. The bill capped personal services at \$4,500,000.

Enacted Law Summary

Joint Standing Committee on Environment and Natural Resources

Public Law 2013, chapter 300 makes the following changes to the laws administered by the Department of Environmental Protection.

1. It removes references to the Land and Water Resources Council.
2. It removes a requirement that notice of environmental agency adjudicatory proceedings must include issuance of press releases and public service radio and television announcements.
3. It corrects references in statute to the "Maine Fuel Board."
4. It repeals a statutory reporting requirement of the Technical and Environmental Assistance Program that is administered by the Office of Pollution Prevention. The reporting requirement that is repealed is a requirement to prepare reports periodically on the status of the program for distribution to the public, the Legislature and other appropriate federal and state agencies.
5. It provides that air emission license fees must be assessed to support activities for "air quality control" instead of for "the Bureau of Air Quality Control."
6. Under the provision of law dealing with annual air emissions license fees, rock crushers regulated under a general permit from the department are subject to an annual fee not to exceed the minimum license fee otherwise established under the air emissions license statute. Chapter 300 extends that provision to all licensees regulated under a general permit, not just rock crushers.
7. It provides that disbursements from the Ground Water Oil Clean-up Fund for personal services may not exceed \$4,500,000 per year as adjusted by the Consumer Price Index.
8. It clarifies that routine technical rulemaking establishing testing protocols and measurement methods related to emission standards for mercury is undertaken by the department in conformance with section 341-H.
9. It changes the date for implementing the low sulfur distillate fuel requirements from January 1 2016 to July 1, 2016.
10. It changes certain solid waste management reporting requirements of the department from biennial reports to annual reports and includes the reports in the annual solid waste generation and disposal capacity report.
11. It removes a reference to the Technical and Environmental Assistance Program in a directive for the department to assist municipalities with managing solid waste. It removes a grant preference for municipalities that participate in a household hazardous waste collection region. It repeals preferences for municipalities that participate in a household hazardous waste collection region.

LD 1528 Resolve, To Provide for Livable, Affordable Neighborhoods

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R BOYLE		

The purpose of this resolve is to encourage the preservation of and the development of livable, affordable neighborhoods. This resolve requires:

1. The Department of Transportation to review recommendations for roadway projects in urban areas that apply concepts and principles in the design of urban thoroughfares that emphasize walkable communities in order to