

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2014

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION  
**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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 1796    An Act To Delay Implementation of Reformulated Gasoline Requirements in Maine**

**PUBLIC 453  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This bill is reported out by the Joint Standing Committee on Environment and Natural Resources pursuant to Public Law 2013, chapter 221, section 3. It extends by one year and one month the implementation date for reformulated gasoline to be the only gasoline sold in seven southern counties in the State. It also requires the Department of Environmental Protection to study the feasibility of easing the multiple gasoline requirements in the State and achieving the use of a single type of gasoline for all of the State and to submit a report and implementing legislation directing the State to use a single type of gasoline to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters by January 30, 2015. The joint standing committee is authorized to report out a bill on the subject matter of the department's report to the First Regular Session of the 127th Legislature.

**Enacted Law Summary**

Public Law 2013, chapter 453 extends by one year and one month the implementation date for reformulated gasoline to be the only gasoline sold in seven southern counties in the State. It also requires the Department of Environmental Protection to study the feasibility of easing the multiple gasoline requirements in the State and achieving the use of a single type of gasoline for all of the State and to submit a report and implementing legislation directing the State to use a single type of gasoline to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters by January 30, 2015. The joint standing committee is authorized to report out a bill on the subject matter of the department's report to the First Regular Session of the 127th Legislature.

Public Law 2013, chapter 453 was enacted as an emergency measure effective March 6, 2014.

**LD 1826    An Act To Protect the State's Authority in Issues Concerning Federal Relicensing of Dams Located in the State**

**PUBLIC 545**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM	H-766

This bill requires the Department of Environmental Protection to notify the joint standing committee of the Legislature having jurisdiction over natural resources matters of all federal relicensing deadlines for dams located in the State. The department shall notify the committee no later than 60 days before each deadline and present to the committee the department's plan to address each deadline.

**Committee Amendment "A" (H-766)**

This amendment replaces the original bill and directs the Department of Environmental Protection to, by January 15, 2015 and annually thereafter, submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report describing all pending applications for water quality certification under Section 401 of the federal Clean Water Act for dams located in the State that are subject to the jurisdiction of the Federal Energy Regulatory Commission. The amendment further directs the department to include within the report certain information relating to pending applications as well as licensing or relicensing deadlines anticipated to occur within five years after the date of the report.

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

**Enacted Law Summary**

Public Law 2013, chapter 545 directs the Department of Environmental Protection to, by January 15, 2015 and annually thereafter, submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report describing all pending applications for water quality certification under Section 401 of the federal Clean Water Act for dams located in the State that are subject to the jurisdiction of the Federal Energy Regulatory Commission. This report must also include certain information relating to pending applications as well as licensing or relicensing deadlines anticipated to occur within five years after the date of the report.

**LD 1848    An Act To Allow Property Maintenance Activities notwithstanding a Consent Agreement with the Department of Environmental Protection    ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. It proposes to allow Robert Pelletier to undertake certain property maintenance activities within a buffer zone on property abutting Long Lake in St. Agatha owned by Mr. Pelletier notwithstanding a consent agreement entered into between Mr. Pelletier and the Department of Environmental Protection.

**LD 1851    An Act To Delay Implementation of the Maine Metallic Mineral Mining Act and Related Statutory Provisions    Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP ONTP	H-799    WELSH

This bill is reported out by the Joint Standing Committee on Environment and Natural Resources pursuant to Joint Order S.P. 742. It amends Public Law 2011, chapter 653, section 33 to delay implementation of the Maine Metallic Mineral Mining Act and related statutory provisions for two years, with a new effective date of June 1, 2016.

**House Amendment "A" (H-799)**

This amendment removes from the bill the emergency preamble and emergency clause and applies retroactively to June 1, 2014 the delay of the implementation of the Maine Metallic Mineral Mining Act and related statutory provisions.