

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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 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 127th Legislature is July 29, 2016. 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 1566 An Act Concerning the Establishment of Water Levels

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

ONTP

This bill was reported out by the Joint Standing Committee on Environment and Natural Resources pursuant to Public Law 2015, chapter 264, section 5 and then referred back to the committee for processing in the normal course.

This bill amends the laws governing the establishment of water levels to require the parties named in a petition or request to establish a water level regime and, if applicable, minimum flow requirements to engage in mediation prior to the Department of Environmental Protection initiating an adjudicatory hearing to resolve the dispute. The bill also provides that if the department holds an adjudicatory hearing to resolve the dispute, it may charge the parties named in the petition or request an appropriate licensing fee, not to exceed \$20,000, to cover the department's costs in conducting the hearing. The department is directed to apportion such licensing fees equitably among the parties named in a petition or request.

LD 1568 Resolve, Regarding Legislative Review of Portions of Chapter 373: Financial and Technical Capacity Standards of the Site Location of Development Act, a Major Substantive Rule of the Department of Environmental Protection

**RESOLVE 62
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 373: Financial and Technical Capacity Standards of the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Enacted Law Summary

Resolve 2015, chapter 62 authorizes final adoption of portions of Chapter 373: Financial and Technical Capacity Standards of the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Resolve 2015, chapter 62 was finally passed as an emergency measure effective March 16, 2016.

LD 1569 Resolve, Regarding Legislative Review of Portions of Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act, a Major Substantive Rule of the Department of Environmental Protection

**RESOLVE 63
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Joint Standing Committee on Environment and Natural Resources

Enacted Law Summary

Resolve 2015, chapter 63 authorizes final adoption of portions of Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Resolve 2015, chapter 63 was finally passed as an emergency measure effective March 16, 2016.

LD 1570 Resolve, Regarding Legislative Review of Chapter 380: Long-term Construction Projects Under the Site Location of Development Act, a Major Substantive Rule of the Department of Environmental Protection

**RESOLVE 64
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of Chapter 380: Long-term Construction Projects Under the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Enacted Law Summary

Resolve 2015, chapter 64 authorizes final adoption of Chapter 380: Long-term Construction Projects Under the Site Location of Development Act, a major substantive rule of the Department of Environmental Protection.

Resolve 2015, chapter 64 was finally passed as an emergency measure effective March 16, 2016.

LD 1578 An Act To Update Maine's Solid Waste Management Laws

**Died On
Adjournment**

Sponsor(s)

Committee Report

Amendments Adopted

SAVIELLO T
CAMPBELL R

OTP-AM

This bill amends the State's solid waste management laws as follows.

1. It establishes a product stewardship program for small batteries.
2. It updates the State's recycling goal. Current statute sets a goal of recycling or composting 50% of the municipal solid waste tonnage generated each year within the State by January 1, 2014. This bill extends that goal deadline to January 1, 2021.
3. It implements a commercial food waste composting requirement under which a large quantity commercial food waste generator that is located within 20 miles of a composting facility with available capacity to accept the food waste produced by the generator is required to deliver all food waste produced to a composting facility for processing. A large quantity commercial food waste generator is a commercial entity that generates one ton or more of food waste per week. This bill authorizes the Department of Environmental Protection to provide a large quantity commercial food waste generator a waiver from the composting requirement if compliance would result in substantial financial hardship for the generator.
4. It eliminates the current statutory waste handling fee of \$1 per ton on the disposal at a commercial, municipal, state-owned or regional association landfill of municipal solid waste ash and front end process residue.