

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
128<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**

August 2017

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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 128<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. 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 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 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. 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 56**

**An Act To Include 50 Milliliter and Smaller Liquor Bottles in the Laws Governing Returnable Containers**

**PUBLIC 140**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A	OTP-AM OTP-AM	H-107 H-132 TUCKER R

This bill includes 50 milliliter and smaller wine or spirits bottles in the laws governing returnable containers.

**Committee Amendment "A" (H-107)**

This amendment, which is the majority report of the committee, replaces the bill. The amendment provides that, effective January 1, 2019, 50 milliliter and smaller wine or spirits bottles are included in the laws governing returnable containers and are subject to a refund value of not more than 5¢. The amendment also adds an appropriations and allocations section.

**Committee Amendment "B" (H-108)**

This amendment, which is the minority report of the committee, replaces the bill, changes the title and increases the penalties for civil violations of the State's littering laws as follows.

1. For a person disposing of 15 pounds or less or 27 cubic feet or less of litter, the minimum fine is increased from \$100 to \$500 and the maximum fine is increased from \$500 to \$1,000. For subsequent violations, the minimum fine is increased from \$500 to \$1,000 and the maximum fine is increased from \$1,000 to \$1,500.
2. For a person disposing of more than 15 pounds or more than 27 cubic feet of litter, the minimum fine is increased from \$500 to \$1,000.

This amendment was not adopted.

**House Amendment "A" To Committee Amendment "A" (H-132)**

This amendment removes application of the effective date of January 1, 2019, from the appropriations and allocations section of Committee Amendment "A".

**Enacted Law Summary**

Public Law 2017, chapter 140 provides that, effective January 1, 2019, 50 milliliter and smaller wine or spirits bottles are included in the laws governing returnable containers and are subject to a refund value of not more than 5¢.

**LD 57**

**An Act To Reduce Waste by Promoting the Use of Reusable Bags and Recyclable Food Service Containers**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M VITELLI E	OTP-AM ONTP	H-18

This bill prohibits a retailer from using plastic bags to bag products at the point of retail sale or otherwise make plastic bags available to customers, with exceptions for certain types of plastic bags. This prohibition is effective September 1, 2020. A retailer may provide recyclable paper bags to bag products at the point of sale and must provide reusable bags for purchase by a customer. The bill also makes changes to existing law regarding retailer