

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
128TH 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

MEMBERS:

SEN. THOMAS B. SAVIELLO, CHAIR
SEN. AMY F. VOLK
SEN. GEOFFREY M. GRATWICK

REP. RALPH L. TUCKER, CHAIR
REP. ROBERT S. DUCHESNE
REP. JOHN L. MARTIN
REP. DENISE PATRICIA HARLOW
REP. JESSICA L. FAY
REP. STANLEY PAIGE ZEIGLER, JR.
REP. JONATHAN L. KINNEY
REP. RICHARD H. CAMPBELL
REP. JEFFERY K. PIERCE
REP. SCOTT WALTER STROM

STAFF:

DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

STATE OF MAINE

128TH LEGISLATURE
FIRST 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 First Regular Session of the 128th 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 128th 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

Joint Standing Committee on Environment and Natural Resources

collection and recycling of used plastic bags to ensure consistency with the implementation of the plastic bag prohibition.

Committee Amendment "A" (H-18)

This amendment, which is the majority report of the committee, replaces the bill, changes the title and establishes a new state policy to promote the use of reusable bags and locally recyclable alternatives to disposable polystyrene foam food service containers as a way for consumers to reduce waste caused by disposable plastic bags and disposable polystyrene foam food service containers. To support that policy, the amendment:

1. Establishes goals for municipal adoption of reusable bag ordinances and polystyrene foam food service container ordinances;
2. Facilitates the sharing by the Department of Environmental Protection of information regarding municipally adopted reusable bag ordinances and polystyrene foam food service container ordinances; and
3. Directs the department to submit an annual report, beginning February 15, 2020, to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters that details municipal progress on the goals set forth under this policy and includes any recommendations to further promote the use of reusable bags and locally recyclable alternatives to disposable polystyrene foam food service containers.

The amendment also retains an existing provision of law that provides for the collection and recycling of used plastic bags by retailers but clarifies the responsibilities of the department under that provision.

LD 103	An Act To Prohibit the Use of Certain Disposable Food Service Containers	ONTP
---------------	---	-------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ZEIGLER S	ONTP	

Beginning January 1, 2018, this bill prohibits the sale or distribution, at retail or wholesale, in the State of disposable food service containers composed in whole or in part of polystyrene foam, as well as disposable food service containers that are not recyclable or compostable unless there is no recyclable or compostable product available at a comparable cost. This bill requires the Department of Environmental Protection to adopt rules to implement these statutory provisions.

LD 160	An Act To Prohibit the Mining of Massive Sulfide Ore Deposits under the Maine Metallic Mineral Mining Act	Accepted Majority (ONTP) Report
---------------	--	--

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE R SAVIELLO T	ONTP OTP-AM	

This bill amends the Maine Metallic Mineral Mining Act to prohibit the Department of Environmental Protection from approving an application for a mining permit if the applicant proposes to mine a metallic mineral ore deposit that contains a massive sulfide ore deposit. The bill defines a "massive sulfide ore deposit" as a metal sulfide ore deposit that, as determined by the Maine Geological Survey, contains in total 1,000,000 tons or more of metallic minerals.