

# 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*

**Committee Amendment "A" (H-59)**

This amendment changes the title, replaces the bill and increases the minimum penalty from not less than \$100 to not less than \$500 for the discharge of sewage, septic fluids, garbage or other pollutants from watercraft into inland waters or for operating on inland waters a watercraft that has a permanently installed sanitary waste disposal system if it does not have a holding tank to prevent the discharge of sanitary waste into inland waters.

**Enacted Law Summary**

Public Law 2017, chapter 49 increases the minimum penalty from not less than \$100 to not less than \$500 for the discharge of sewage, septic fluids, garbage or other pollutants from watercraft into inland waters or for operating on inland waters a watercraft that has a permanently installed sanitary waste disposal system if it does not have a holding tank to prevent the discharge of sanitary waste into inland waters.

**LD 372      An Act To Protect Public Health through Septic Tank Inspections      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L VITELLI E	ONTP	

This bill amends existing law requiring the inspection of a subsurface wastewater disposal system on a property located within the shoreland area of the State that is to be transferred and expands these requirements to apply to the transfer of any property in the State on which a subsurface wastewater disposal system is located. The bill also amends other provisions of the Maine Revised Statutes as necessary to incorporate these changes.

**LD 375      An Act To Establish a Carpet Stewardship Program      ONTP**

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

This bill provides for the establishment of a new stewardship program in the State for discarded carpet. Under the bill, a producer of carpet, or an organization comprising one or more producers of carpet, submits a plan for the establishment of a carpet stewardship program to the Commissioner of Environmental Protection for approval. Once approved, a carpet stewardship program operates to provide convenient, free statewide collection opportunities for discarded carpet, and discarded carpet collected through the program is recycled or otherwise responsibly managed. A program is funded through the imposition of a carpet stewardship assessment, subject to review and approval by the commissioner, which is added to the purchase price of all carpet sold in the State.

**LD 385      An Act To Establish a Stewardship Program for Certain Rechargeable Batteries      ONTP**

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

This bill provides for the establishment of a new stewardship program in the State for discarded nickel-cadmium and small sealed lead-acid rechargeable batteries. Under the bill, a producer of such rechargeable batteries, or an organization comprising one or more producers of such rechargeable batteries, submits a plan for the establishment of a battery stewardship program to the Commissioner of Environmental Protection for approval. Once approved, a

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

battery stewardship program operates to provide convenient, free statewide collection opportunities for discarded rechargeable batteries covered under the program, and discarded rechargeable batteries collected through the program are recycled or otherwise responsibly managed. This bill also amends existing laws relating to certain rechargeable battery types to avoid statutory conflicts with the new stewardship program for rechargeable batteries.

**LD 395      *Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection*      ONTP**

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

This resolve provides for legislative review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a major substantive rule of the Department of Environmental Protection.

**LD 399      *An Act To Revise Maine's Environmental Laws*      CARRIED OVER**

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to revise laws governing environmental protection.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 400      *An Act Regarding the Construction or Placement of Decks within the Shoreland Zone*      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER B ROSEN K	ONTP OTP-AM	

This bill authorizes municipalities to adopt ordinances that allow the construction or placement of a deck within the setbacks established pursuant to the laws governing shoreland zoning as long as certain requirements are met.

**Committee Amendment "A" (H-165)**

This amendment, which is the minority report of the committee, replaces the bill, changes the title and allows the construction or placement of a deck within the setbacks established pursuant to the laws governing shoreland zoning as long as certain requirements are met. The amendment also clarifies that the temporary storage of a seasonally used dock within the shoreland zoning setback area is not subject to civil penalties associated with the enforcement of local land use laws or ordinances.

This amendment was not adopted.