

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

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/>

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

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 450 An Act To Prevent Oil Spills in Casco Bay ONTP

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

This bill amends the regulatory powers of the Board of Environmental Protection to require that rules relating to oil discharge prevention and pollution control for terminals, facilities, refineries, vessels and related equipment adopted under the board's authority must provide, subject to specified exceptions, that all vessels and barges engaged in transfers of oil or oil by-products, including transfers during ship-to-ship bunkering operations, be protected by an oil boom device during those transfers and notify the United States Coast Guard prior to those transfers. The bill also directs the Board of Environmental Protection to amend its existing rules relating to oil discharge prevention and pollution control to reflect these statutory changes.

LD 452 An Act To Remove the Reformulated Gasoline Requirement ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER J WADSWORTH N	ONTP	

This bill repeals the law requiring retailers to sell only reformulated gasoline in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox and Lincoln counties and directs the Department of Environmental Protection to amend its rules to agree with the repeal of that law.

LD 469 An Act To Establish a Generally Applicable Regulatory Standard To Address Impacts of Sea Level Change and Increased Storm Surges ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M GRATWICK G	ONTP	

This bill amends the State's coastal management laws to require the Department of Environmental Protection to apply to activities under its jurisdiction a generally applicable regulatory standard that addresses the impacts of sea level change and increased storm surges on coastal resources within the coastal area of the State. The bill directs the department to adopt rules establishing that standard on or before November 1, 2018.

LD 559 An Act To Standardize the Law Concerning Property Transfers and To Protect Water Quality Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD G SAVIELLO T	OTP-AM	H-60

This bill extends to inland shoreland areas the requirement that subsurface wastewater disposal systems on property located within a shoreland area be inspected prior to a sale of the property. Currently, that inspection requirement applies only to the sale of property located within a coastal shoreland area.

Committee Amendment "A" (H-60)

Joint Standing Committee on Environment and Natural Resources

This amendment amends the bill by adding an effective date of April 1, 2018.

LD 576 An Act To Amend the Laws Governing Funding for Landfill Closure Costs Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J DUNPHY M	OTP-AM ONTP	S-47

This bill extends the eligibility period for closure costs for a landfill that currently applies only to a landfill licensed on or before September 1, 1989. The bill provides that if a license application for a landfill was received on or before September 1, 1989, and the application was approved by the Commissioner of Environmental Protection within one year of receipt, the landfill is eligible for payment of 75% of certain closure costs by the Department of Environmental Protection.

Committee Amendment "A" (S-47)

This amendment, which is the majority report of the committee, amends the bill by clarifying that the eligibility of a landfill for reimbursement of certain closure and remediation costs under the Maine Revised Statutes, Title 38, section 1310-F is dependent on whether the landfill was issued a license on or before September 1, 1989 or whether the landfill's license application was accepted for processing by the Department of Environmental Protection on or before September 1, 1989, and such license was approved within one year of the date the license application was accepted for processing.

LD 577 An Act Regarding Zero-emissions Vehicles ONTP

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

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

This bill proposes to direct the Department of Environmental Protection, in recognition of state goals regarding emissions reductions, to modify rules associated with the sale of zero-emissions vehicles to reflect current market conditions and to identify ways that the State could meet its goals through the procurement of zero-emissions vehicles for state transportation fleets.

LD 580 An Act To Modify the Mining Laws ONTP

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

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

This bill proposes to enact provisions amending the State's mining laws, including, but not limited to, the following.

1. It would amend the laws regarding mining on state lands under the Maine Revised Statutes, Title 12, chapter 201-A, subchapter 3 to prohibit the issuance of a mining lease under that chapter authorizing mining operations located wholly or partially in, on or under designated lands, state historic sites, state parks, public reserved lands,