

# 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

128<sup>TH</sup> LEGISLATURE  
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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 901**

### **An Act To Amend the Laws Governing the Determination of a Wind Energy Development's Effect on the Scenic Character of Maine's Special Places**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR T	OTP-AM	H-213
SAVIELLO T	OTP-AM	

This bill repeals and replaces the current law regarding when a visual impact assessment is required for an expedited wind energy development. The bill provides that a visual impact assessment is required if portions of a wind energy development's generating facilities are located within eight miles from a scenic resource of state or national significance, except that for certain specified scenic resources of state or national significance, a visual assessment is required if a development's generating facilities are located within 15 miles from the scenic resource of state or national significance. The bill also amends the definition of "viewshed of a scenic resource of state or national significance" for those same specified scenic resources.

#### **Committee Amendment "A" (H-213)**

This amendment, which is the majority report of the committee, replaces the bill and amends current law regarding when a visual impact assessment is required for an expedited wind energy development by requiring a visual impact assessment if portions of a wind energy development's generating facilities are located within eight miles of a scenic resource of state or national significance. It also requires all rules adopted under the laws regarding expedited permitting of grid-scale wind energy development on or after the effective date of the Act to be major substantive rules.

#### **Committee Amendment "B" (H-214)**

This amendment, which is the minority report of the committee, replaces the bill and amends current law regarding when a visual impact assessment is required for an expedited wind energy development by requiring a visual impact assessment if portions of a wind energy development's generating facilities are located within 12 miles of a scenic resource of state or national significance. It also requires all rules adopted under the laws regarding expedited permitting of grid-scale wind energy development on or after the effective date of the Act to be major substantive rules.

This amendment was not adopted.

**LD 930**

### **An Act To Protect Maine Families by Enhancing Well Water Regulation**

**ONTP**

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

This bill requires all private wells used to provide water for human consumption to be tested for basic pollutants in accordance with rules adopted by the Department of Environmental Protection. The wells are required to be tested at least once every five years, and all new wells created after July 1, 2018 are required to be tested. All fees are waived for testing a well within an area in which there is a known environmental hazard or dispersal of pollutants that may contaminate the well.

The Department of Environmental Protection is required to determine the costs of implementing this legislation and, in consultation with the Public Utilities Commission and the Efficiency Maine Trust, identify appropriate funding sources to pay those costs. The department is required to submit its findings and recommendations to the Joint