

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES**

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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 399 An Act Regarding Municipal Satellite Wastewater Collection Systems

PUBLIC 353

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER R	OTP-AM	H-613

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill, which is a concept draft pursuant to Joint Rule 208, proposes to revise laws governing environmental protection.

Committee Amendment "A" (H-613)

This amendment changes the title and replaces the bill. It requires the owner of a municipal satellite collection system to register the system with the Department of Environmental Protection and requires the owner or operator of the system to report to the department any unauthorized discharges of wastewater from the system.

Enacted Law Summary

Public Law 2017, chapter 353 requires the owner of a municipal satellite collection system to register the system with the Department of Environmental Protection and requires the owner or operator of the system to report to the department any unauthorized discharges of wastewater from the system.

LD 1095 An Act To Establish the Maine Coastal Risks and Hazards Commission

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L	OTP-AM ONTP	H-625

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. It was reported out of committee during the Second Regular Session and then carried over to the Second Special Session on the Special Appropriations Table by joint order S.P. 748.

The bill establishes the Maine Coastal Risks and Hazards Commission, the purpose of which is to make findings and develop and submit to the Legislature recommendations regarding the actions to be taken by the State to address and prepare for coastal and coastal watershed hazards identified by the commission, including, but not limited to, increased storm surges, extreme precipitation and other extreme weather events, projected sea level rise and increased river flooding and storm water runoff. On or before November 1, 2019, and every five years thereafter, the commission must submit a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters containing its findings and recommendations, including any draft legislation to address identified coastal and coastal watershed hazards.

Committee Amendment "A" (H-625)

This amendment is the majority report of the committee. Like the bill, the amendment establishes the Maine Coastal Risks and Hazards Commission but makes the following changes.

1. It reduces the membership of the commission from 36 members to 21 members.
2. It clarifies the duties of the commission.

Joint Standing Committee on Environment and Natural Resources

3. It amends provisions regarding the administration of the commission, including providing authorization for Legislative Council staffing when the Legislature is not in session and clarifying member compensation and outside funding provisions.

The amendment also adds an appropriations and allocations section.

LD 1298 An Act To Update Maine's Water Quality Standards

PUBLIC 319

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARLOW D	OTP-AM	H-574

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill updates Maine's water quality standards by aligning state law with the federal Clean Water Act regarding pesticide application to control invasive plants and mosquito-borne disease and authorizing the Department of Environmental Protection to use an alternative low-flow requirement when assessing the impact of nutrients on water quality, contingent upon the department's adopting nutrient rules.

Committee Amendment "A" (H-574)

This amendment amends the provisions of the bill that update Maine's water quality standards by aligning state law with federal Clean Water Act requirements for pesticide application to control invasive plants and mosquito-borne disease and adds provisions to align state law with such requirements for dissolved oxygen. The amendment further updates Maine's water quality standards to be consistent with guidance issued by the United States Environmental Protection Agency regarding recreational water quality criteria for bacteria. The amendment retains the provision of the bill that authorizes the Department of Environmental Protection to use an alternative low-flow requirement when assessing the impact of nutrients on water quality, contingent upon the department's adopting nutrient rules.

Enacted Law Summary

Public Law 2017, chapter 319 updates Maine's water quality standards by aligning state law with the federal Clean Water Act regarding pesticide application to control invasive plants and mosquito-borne disease. It further updates Maine's water quality standards in a manner consistent with guidance issued by the United States Environmental Protection Agency regarding recreational water quality criteria for bacteria. It also authorizes the Department of Environmental Protection to use an alternative low-flow requirement when assessing the impact of nutrients on water quality, contingent upon the department's adopting nutrient rules.

LD 1534 An Act To Reduce Food Waste in Maine

PUBLIC 369

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C SAVIELLO T	OTP-AM	H-634

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill creates the Maine food producers donation tax credit. The tax credit program allows food producers to apply for a tax credit equal to 50% of the fair market value of the donated food when they donate such food to a nonprofit food assistance organization or school. The Department of Administrative and Financial Services, Bureau of Revenue Services may not authorize more than \$150,000 in tax credits per fiscal year. The bill directs the bureau