

MAINE STATE LEGISLATURE

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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

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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 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 1473

**An Act To Make Minor Changes and Corrections to Statutes
Administered by the Department of Environmental Protection**

PUBLIC 137

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

This bill clarifies the Department of Environmental Protection's right of inspection in reaction to recent litigation. It further clarifies the jurisdiction of the department and the Board of Environmental Protection in the laws regulating discharges into the waters of the State. It also clarifies the names of various bodies of water. The bill updates federal publication references and allows collector systems to be included in state grants for pollution abatement. It increases the limit on the alcohol volume allowed in hard cider in the beverage container laws.

Enacted Law Summary

Public Law 2017, chapter 137 clarifies the Department of Environmental Protection's right of inspection in reaction to recent litigation. It further clarifies the jurisdiction of the department and the Board of Environmental Protection in the laws regulating discharges into the waters of the State. It also clarifies the names of various bodies of water. The law updates federal publication references and allows collector systems to be included in state grants for pollution abatement. It increases the limit on the alcohol volume allowed in hard cider in the beverage container laws.

LD 1534 An Act To Address Hunger, Support Maine Farms and Reduce Waste

CARRIED OVER

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

This 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 to adopt rules to implement the Maine food producers donation tax credit.

The bill also includes immunity from civil liability in regards to injury, illness or death due to the condition of the donated food for a charitable or nonprofit organization and its employees who distribute food without charge or at less than fair market value. The immunity also applies to a hospital or health care facility or eating establishment that donates food. The bill directs the Department of Health and Human Services to develop and publish a summary of liability protections for food donors and distributors of donated food.

The bill also creates the Maine Food Recovery Commission, consisting of 13 members, five of whom are Legislators. The commission must meet four times to review and evaluate the economic, environmental and human costs of food waste in Maine and assess current systems of food production, distribution and waste to determine where and how food is wasted in a manner inconsistent with Maine's food recovery hierarchy as well as to develop a strategy to address any inconsistencies with the food recover hierarchy. The commission is required to submit a report by December 6, 2017, to the Joint Standing Committee on Environment and Natural Resources with its findings and recommendations, including suggested legislation.

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