

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**

October 2018

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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

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.

Committee Amendment "A" (H-634)

This amendment changes the title, replaces the bill and directs the Department of Environmental Protection, as resources allow, to develop and maintain on its publicly accessible website a food recovery database of guidance documents, model policies, program resources and other educational and technical materials relevant to food recovery and food waste reduction efforts that may be implemented by government entities, counties, municipalities, educational institutions, businesses and members of the public.

The amendment also removes the emergency preamble and emergency clause from the bill.

Enacted Law Summary

Public Law 2017, chapter 369 directs the Department of Environmental Protection, as resources allow, to develop and maintain on its publicly accessible website a food recovery database of guidance documents, model policies, program resources and other educational and technical materials relevant to food recovery and food waste reduction efforts that may be implemented by government entities, counties, municipalities, educational institutions, businesses and members of the public.

LD 1657

An Act To Update the Allowance Budget for the Regional Greenhouse Gas Initiative

PUBLIC 323

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER R	OTP-AM	H-575

This bill establishes for each year from 2021 to 2030 the amount of allowances the State can auction as a participant in the regional greenhouse gas initiative. It also establishes the adjustments for banked allowances that must be made to the base annual carbon dioxide emissions budgets for 2021 to 2025.

Committee Amendment "A" (H-575)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2017, chapter 323 establishes for each year from 2021 to 2030 the amount of allowances the State can auction as a participant in the regional greenhouse gas initiative. It also establishes the adjustments for banked allowances that must be made to the base annual carbon dioxide emissions budgets for 2021 to 2025.