

# 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  
129<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 2019

**MEMBERS:**

SEN. BROWNIE EVERETT CARSON, CHAIR  
SEN. JUSTIN M. CHENETTE  
SEN. ROBERT A. FOLEY

REP. RALPH L. TUCKER, CHAIR  
REP. LYDIA C. BLUME\*  
REP. MICHAEL G. DEVIN\*  
REP. JESSICA L. FAY  
REP. STANLEY PAIGE ZEIGLER, JR.  
REP. LORI K. GRAMLICH  
REP. DANIEL J. HOBBS  
REP. RICHARD H. CAMPBELL  
REP. PETER A. LYFORD  
REP. THOMAS H. SKOLFIELD  
REP. CHRIS A. JOHANSEN

**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/opla/>

\*Committee member for a portion of the session

# STATE OF MAINE

129<sup>TH</sup> 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 129<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 129<sup>th</sup> Legislature is Thursday, September 19, 2019. 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

This bill increases by .5¢ per returned container the handling costs to be reimbursed to the dealer or local redemption center for the cost of handling beverage containers beginning March 1, 2020.

**LD 450      An Act To Increase Funding for the St. Croix International Waterway Commission      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOORE M PERRY A	OTP-AM	S-19

This bill provides an additional \$25,000 per fiscal year to the St. Croix International Waterway Commission, provided the Province of New Brunswick, Canada commits to match the funding.

### Committee Amendment "A" (S-19)

This amendment incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 505      An Act To Require the Use of Reusable Food Ware at Eating Establishments      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D MIRAMANT D	ONTP	

This bill provides that a prepared food vendor may sell or provide prepared food to a customer for consumption on the vendor's premises only if the prepared food is served to the customer using reusable food ware. The bill also requires that a prepared food vendor may sell or provide prepared food to a customer for consumption off the vendor's premises using single-use disposable food ware only if the prepared food is served to the customer using single-use disposable food ware approved by the Department of Environmental Protection as recyclable or compostable.

The bill also requires that a prepared food vendor selling take-out food to a customer for consumption off the vendor's premises must require payment by the customer of a fee, retained by the prepared food vendor, of 25¢ for certain items of single-use disposable food ware in which the customer's take-out food is served or for each take-out meal served to the customer, whichever is less. The provisions of this bill also apply to a prepared food vendor or other food server providing or serving prepared food to customers at a state facility or state function.

**LD 524      Resolve, Regarding the Promotion of Composting      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C FOLEY R	ONTP	

This resolve requires the Department of Environmental Protection and the Department of Agriculture, Conservation and Forestry to study the feasibility of establishing incentives or mandates to promote composting in the State. The departments are required to submit a joint report of their findings and recommendations, together with any

***Joint Standing Committee on Environment and Natural Resources***

necessary implementing legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Environment and Natural Resources, which may submit legislation relating to the report to the Second Regular Session of the 129th Legislature.

**LD 543      *Resolve, To Facilitate the Protection of Public Health through Increased Subsurface Wastewater Inspections*      RESOLVE 13**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L	OTP-AM ONTP	H-37

Current law requires the inspection of a subsurface wastewater disposal system on a property located within the shoreland area of the State that is to be transferred. This bill expands these requirements to apply to the transfer of any property in the State on which a subsurface wastewater disposal system is located. The bill also amends other provisions of the Maine Revised Statutes as necessary to incorporate these changes.

**Committee Amendment "A" (H-37)**

This amendment, which is the majority report of the committee, changes the title of the bill and changes the bill into a resolve directing the Department of Health and Human Services, in consultation with the Department of Environmental Protection, to submit to the Joint Standing Committee on Environment and Natural Resources on or before January 15, 2020 a report containing a variety of information regarding septic system inspections and the certification of septic system inspectors. After reviewing the report, the committee may report out a bill related to the information contained in the report to the Second Regular Session of the 129th Legislature.

**Enacted Law Summary**

Resolve 2019, chapter 13 directs the Department of Health and Human Services, in consultation with the Department of Environmental Protection, to submit to the Joint Standing Committee on Environment and Natural Resources on or before January 15, 2020 a report containing a variety of information regarding septic system inspections and the certification of septic system inspectors. After reviewing the report, the committee may report out a bill related to the information contained in the report to the Second Regular Session of the 129th Legislature.

**LD 544      *An Act To Create Extended Producer Responsibility for Post-consumer Waste Generated from the Use of Tobacco Products*      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLUME L		

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to establish a system under which producers of tobacco products develop, finance and implement stewardship programs to collect, transport, process and safely dispose of post-consumer tobacco waste to reduce, prevent and mitigate the environmental effects of the disposal of that waste in the State. The bill proposes to:

1. Prohibit tobacco producers or retailers from selling or offering for sale tobacco products in the State unless they are participating in an approved tobacco waste stewardship program;
2. Require a tobacco producer to provide retailers that sell tobacco products information about the producer's tobacco waste stewardship program and information regarding available collection opportunities for post-consumer tobacco product waste. Under the bill, a retailer that sells tobacco products would be required to provide that information to its consumers at the time of sale;