

# 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*

to a landfill licensed on or before September 1, 1989. It provides that if a license application for a landfill was accepted for processing on or before September 1, 1989 and the application was approved by the Commissioner of Environmental Protection within one year of accepting the application for processing, the landfill is eligible for payment of 75% of certain closure costs by the Department of Environmental Protection.

**LD 621      An Act To Prohibit Extruded Polystyrene Food Service Containers      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARNEY A MILLETT R	ONTP	

This bill prohibits food establishments from processing, preparing, selling or providing food in or on an extruded polystyrene foam food service container with certain exceptions.

**LD 640      Resolve, To Require a Study of Greenhouse Gas Emissions Reductions from the Proposed Central Maine Power Company Transmission Corridor      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARSON B RYKERSON D	OTP-AM ONTP	S-82 H-345    HANDY J

This resolve requires the Department of Environmental Protection to review all relevant, verifiable evidence on the total net effect on greenhouse gas emissions from Central Maine Power Company's New England Clean Energy Connect project and submit a report to the Legislature, make the report available to the public and provide a copy of the report to the Massachusetts Department of Public Utilities by June 1, 2019. The resolve prohibits the department from issuing a permit for the project without taking into account the results of the department's review.

**Committee Amendment "A" (S-82)**

This amendment, which is the majority report of the committee, replaces the resolve and directs the Department of Environmental Protection to commission a study regarding the potential effect of the New England Clean Energy Connect, or NECEC, project, as proposed by Central Maine Power Company, on total greenhouse gas emissions across all jurisdictions interconnected with electricity generation and distribution systems operated by the Hydro-Quebec company. The findings of the study regarding greenhouse gas emissions effects, with and without construction of the NECEC project, must be presented in relation to a benchmark of reducing greenhouse gas emissions in New England by 3.6 million metric tons per year. The study, which is to be prepared by a consultant that is an independent, nongovernmental organization with expertise in energy and environmental policy and analysis, must be based on a modeling analysis that incorporates appropriate assumptions regarding load growth, fuel costs, variation in dispatch of electricity among electricity markets, rainfall, electricity transmission constraints, addition and retirement of electric generation facilities and technology development.

On or before August 15, 2019, the department is required to submit the final report prepared by the consultant to the Joint Standing Committee on Environment and Natural Resources. The department may not issue a permit, license or other approval relating to the NECEC project until at least 45 days after it submits to the committee the final report prepared by the consultant, except that this 45-day prohibition does not apply if the department fails to submit the final report to the committee on or before August 15, 2019.

The department may accept funds from any source, public or private, to fund the costs of the study and report and may only fund the costs of the study and report using outside funding received for those purposes. If the

*Joint Standing Committee on Environment and Natural Resources*

department, by August 15, 2019, fails to receive sufficient outside funding for the study, the department is not required to enter into an agreement with the consultant to complete the study or to submit a final report to the committee and the 45-day prohibition does not apply.

**Senate Amendment "A" To Committee Amendment "A" (S-91)**

This amendment amends Committee Amendment "A" to:

1. Add requirements that the Department of Environmental Protection review and approve entities the selected consultants seek to engage for assistance with the study and review and approve the consultant's proposed scope of work and modeling assumptions;
2. Prohibit the department from accepting funding for the study that creates an apparent or actual conflict of interest;
3. Narrow the geographic scope of the study to Maine and other New England states, New York, Ontario and New Brunswick;
4. Specify that the department may not consider the study or the results of the study in the department's decisions on applications for permits from the New England Clean Energy Connect project under the laws governing site location of development or the Natural Resources Protection Act; and
5. Require the department to consult with the Public Utilities Commission staff on issues that are typically within the jurisdiction of the commission and not the department.

This amendment was not adopted.

**House Amendment "A" To Committee Amendment "A" (H-345)**

This amendment amends Committee Amendment "A" to remove the requirement that the Department of Environmental Protection obtain outside funding to complete a study regarding the potential effect of the New England Clean Energy Connect project, instead transferring \$150,000 from the Public Utilities Commission Reimbursement Fund within the Public Utilities Commission to the Maine Environmental Protection Fund within the department to fund the cost of the study. The amendment includes a one-time \$150,000 allocation in fiscal year 2019-20 to allow for the expenditure of the transferred funds.

<b>LD 710</b>	<b>Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses</b>	<b>RESOLVE 36</b>
---------------	--	-------------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S BREEN C	OTP	

This resolve requires the Department of Environmental Protection to study the establishment of a new stewardship program in the State for mattresses and report the results of its study to the Joint Standing Committee on Environment and Natural Resources by December 4, 2019. The department is required to include recommended legislation to implement its recommendations related to the report, and the joint standing committee is authorized to report out a bill relating to the subject matter of the report to the Second Regular Session of the 129th Legislature.

**Enacted Law Summary**

Resolve 2019, chapter 36 requires the Department of Environmental Protection to study the establishment of a new