

# MAINE STATE LEGISLATURE

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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

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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  
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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 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*

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.

**LD 710**

**Resolve, To Require the Department of Environmental Protection To Study the Establishment of a Product Stewardship Program for Mattresses**

**RESOLVE 36**

<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

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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.

**LD 774      An Act To Protect Maine's Beaches and Shoreline**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAMLICH L FOLEY R		

This bill amends the State's coastal management policies laws to ensure that those policies address the effects of coastal erosion on the State's beaches and shoreline and ensure the health of the State's beaches and shoreline for habitat protection for coastal wildlife species and for protection against storms.

The bill also creates an advisory group on beach management, to be convened by the Commissioner of Environmental Protection for the purpose of developing and recommending objectives, strategies, legislation and other actions to mitigate coastal erosion in the State and to keep beaches healthy for storm protection, habitat protection for coastal wildlife species and for recreational use. The group is directed to review the report titled "Integrated Beach Management Program Working Group Report," dated January 2017 and submitted to the Joint Standing Committee on Environment and Natural Resources in the First Regular Session of the 128th Legislature, update the data and findings contained in that report, if necessary, and review and update the specific recommendations for legislative, regulatory or other actions contained in that report, if necessary. No later than February 15, 2020, the commissioner is required to submit a report to the Joint Standing Committee on Environment and Natural Resources containing the findings and recommendations of the group following its review of the 2017 report, including any proposed legislation necessary to implement those recommendations. After reviewing the report, the committee may report out legislation to implement those recommendations.

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

**LD 797      An Act To Limit Greenhouse Gas Pollution and Effectively Use Maine's  
Natural Resources**

**ONTP**

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

This bill provides that by January 1, 2050 the State must reduce net annual greenhouse gas emissions to at least 80% below the 1990 net annual greenhouse gas emissions level. It directs the Department of Environmental Protection to establish interim net annual emissions levels and to monitor and report on gross and net annual greenhouse gas emissions. It directs the department to update the State's climate action plan and evaluate the State's progress toward meeting the reduction levels.