

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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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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 129th 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 129th 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

LD 817 An Act To Advance the Restoration of the Penobscot River

PUBLIC 72

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J DUNPHY M	OTP-AM	S-34

This bill extends north to Milford Dam between Milford and Old Town on the Penobscot River, with the exception of the Stillwater Branch, the protections under the Maine Revised Statutes, Title 38, section 418-A currently provided to the lower Penobscot River. It requires the Department of Marine Resources, the Department of Inland Fisheries and Wildlife and the Department of Environmental Protection, in consultation with the Penobscot Indian Nation and interested federal agencies, to conduct a comprehensive assessment of fish passage barriers, water quality and habitat conditions affecting the full restoration of fisheries within the Penobscot River watershed and the feasibility and costs of mitigating problems and report to the Joint Standing Committee on Marine Resources, the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Environment and Natural Resources. It authorizes the joint standing committees to report out legislation to the Second Regular Session of the 129th Legislature.

Committee Amendment "A" (S-34)

This amendment removes from the bill the directed comprehensive assessment of the Penobscot River Watershed by the Department of Marine Resources, the Department of Inland Fisheries and Wildlife and the Department of Environmental Protection. It also makes a technical correction to a section headnote.

Enacted Law Summary

Public Law 2019, chapter 72 extends north to Milford Dam between Milford and Old Town on the Penobscot River, with the exception of the Stillwater Branch, the protections under the Maine Revised Statutes, Title 38, section 418-A currently provided to the lower Penobscot River.

LD 818 An Act To Reduce Greenhouse Gas Emissions

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L FAY J	ONTP	

This bill provides that by January 1, 2030 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. It requires the Board of Environmental Protection to establish greenhouse gas emission standards for individual sources or categories of sources.

LD 822 An Act To Prohibit the Sale of Motor Fuel Containing More than 10% Ethanol

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B TIMBERLAKE J	OTP	

Joint Standing Committee on Environment and Natural Resources

This bill prohibits a distributor, blender or retail dealer from selling, consigning or distributing motor fuel containing more than 10% ethanol by volume unless the motor fuel is sold, consigned or distributed in a sealed container that contains one quart or less of the motor fuel. It also repeals a contingent prohibition on the sale of motor fuel containing more than 10% ethanol by volume.

LD 893 An Act To Create an Updated Unified Maine Climate Action Plan ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J DUNPHY M	ONTP	

This bill requires the Department of Environmental Protection, working with the Maine Interagency Climate Adaptation Work Group, or MICA Work Group, and the University of Maine, to update the Maine Climate Action Plan developed in 2004 by the department. It requires the updated plan to address both mitigation and adaptation strategies. It requires the department and the MICA Work Group to convene a group of stakeholders to evaluate the mitigation and adaptation strategies in order to update the plan and it provides for internships for University of Maine students to work on the development and implementation of the updated plan. It authorizes the department to hire consultants. It requires the University of Maine System to develop and implement procedures for providing climate data to residents of the State. It also includes an appropriations and allocations section.

LD 906 An Act Concerning Pavement Sealing Products PUBLIC 493

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY M	OTP-AM ONTP	H-166 H-225 DAUGHTRY M

This bill prohibits the sale of coal tar sealant products beginning October 1, 2020 and prohibits the application of coal tar sealant products on driveways or parking areas beginning October 1, 2021. The Commissioner of Environmental Protection may grant an exemption from the prohibitions for research or development purposes.

Committee Amendment "A" (H-166)

This amendment, which is the majority report of the committee, amends the bill as follows.

1. It amends the definition of "polycyclic aromatic hydrocarbons" to include a reference to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980.
2. It clarifies the scope of the bill's sales and application prohibitions or coal tar sealant products.
3. It removes an unnecessary cross-reference.

House Amendment "A" (H-225)

This amendment amends Committee Amendment "A" to delay for three years the prohibitions regarding coal tar sealant products.

Enacted Law Summary

Public Law 2019, chapter 493 prohibits the sale of coal tar sealant products beginning October 1, 2023 and prohibits the application of coal tar sealant products on driveways or parking areas beginning October 1, 2024. The