

# 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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# 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*

**LD 1474    An Act To Ensure Water Equity and Accountability for the People of the State**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C MIRAMANT D	ONTP OTP-AM	

This bill requires certain governmental entities when issuing permits or licenses and setting rates to evaluate the negative externalities resulting from unique uses of water, such as the bulk exportation of water out of a region.

**Committee Amendment "A" (H-390)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

**LD 1532    An Act To Eliminate Single-use Plastic Carry-out Bags**

**PUBLIC 346**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STOVER H	OTP-AM OTP-AM	H-378

This bill prohibits a retail establishment from using single-use carry-out bags to bag products at the point of sale or otherwise make single-use carry-out bags available to customers, with exemptions for certain types and uses of plastic and paper bags. Retail establishments may provide recyclable paper bags to bag products at the point of sale for at least 5¢ per bag, with exceptions to the fee requirement for certain types of retail establishments. The prohibition is effective April 22, 2020.

**Committee Amendment "A" (H-378)**

This amendment, which is the majority report of the committee, requires a retail establishment to charge at least a 5¢ fee for each reusable bag made of plastic and for each recycled paper bag used to bag products at the point of sale. It also clarifies provisions in the bill regarding the implementation of the statewide preemption on single-use carry-out bag regulation and the provision regarding violations of the bag prohibition and bag fees requirements. It makes additional technical changes to clarify the application of existing state law regarding plastic bags and removes language in the bill regarding the application of bag fees to purchasers using the federal supplemental nutrition assistance program or the Women, Infants and Children Special Supplemental Food Program of the United States Child Nutrition Act of 1996.

**Committee Amendment "B" (H-379)**

This amendment, which is the minority report of the committee, provides that the prohibitions and requirements in the bill, as amended, apply only in a participating municipality, which is a municipality that has approved at referendum an article subjecting the municipality to the prohibitions and requirements. The amendment requires a retail establishment in a participating municipality to charge at least a 5¢ fee for each reusable bag made of plastic and for each recycled paper bag used to bag products at the point of sale. It also clarifies provisions in the bill regarding the implementation of the statewide preemption on single-use carry-out bag regulation and the provision regarding violations of the bag prohibition and bag fees requirements. It makes additional technical changes to clarify the application of existing state law regarding plastic bags and removes language in the bill regarding the application of bag fees to purchasers using the federal supplemental nutrition assistance program or the Women,