

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
129<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND  
NATURAL RESOURCES**

November 2020

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**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/>

# 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 was carried over from the First Regular Session of the 129th Legislature.

This bill adds rivers, streams and brooks to the list of protected natural resources for which the Department of Environmental Protection may develop a compensation fee program. The bill also removes a statutory requirement that the department, when developing a compensation fee program, consult with the Department of Agriculture, Conservation and Forestry and the Department of Inland Fisheries and Wildlife.

**Committee Amendment "A" (S-385)**

This amendment amends the bill by clarifying the state and federal resource agencies that the Department of Environmental Protection has to consult with in developing a compensation fee program. It also makes a number of technical corrections to the compensation fee program statute necessitated by the addition of rivers, streams and brooks to the list of protected natural resources for which the department may develop a compensation fee program, as provided for in the bill.

**Enacted Law Summary**

Public Law 2019, chapter 581 adds rivers, streams and brooks to the list of protected natural resources for which the Department of Environmental Protection may develop a compensation fee program.

**LD 1779      An Act To Establish Standards for Operation and Maintenance and      PUBLIC 582**  
**Asset Management for Publicly Owned Treatment Works and**  
**Municipal Satellite Collection Systems**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER R	OTP-AM	H-677

This bill was carried over from the First Regular Session of the 129th Legislature.

This bill authorizes the Department of Environmental Protection to establish standards through routine technical rulemaking for operation and maintenance and asset management for publicly owned treatment works and municipal satellite collection systems.

**Committee Amendment "A" (H-677)**

This amendment designates as major substantive rules the rules the Department of Environmental Protection may adopt establishing standards for operation and maintenance and asset management for publicly owned treatment works and municipal satellite collection systems.

**Enacted Law Summary**

Public Law 2019, chapter 582 authorizes the Department of Environmental Protection to establish standards through major substantive rulemaking for operation and maintenance and asset management for publicly owned treatment works and municipal satellite collection systems.

**LD 1780      An Act To Support Replacement of At-risk Home Heating Oil Tanks      PUBLIC 583**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER R	OTP-AM	H-678

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

This bill was carried over from the First Regular Session of the 129th Legislature.

This bill increases opportunities for property owners to replace at-risk home heating oil tanks by authorizing money in the Maine Ground and Surface Waters Clean-up and Response Fund to be disbursed for loans and grants for department-approved rebate programs to retrofit, repair, replace or remove aboveground and underground oil storage tanks and associated piping at residential dwellings.

**Committee Amendment "A" (H-678)**

This amendment adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2019, chapter 583 increases opportunities for property owners to replace at-risk home heating oil tanks by authorizing money in the Maine Ground and Surface Waters Clean-up and Response Fund to be disbursed for loans and grants for department-approved rebate programs to retrofit, repair, replace or remove aboveground and underground oil storage tanks and associated piping at residential dwellings.

**LD 1781      An Act To Allow the Board of Environmental Protection To Make Changes through Routine Technical Rulemaking to Federally Based Screening Levels for the Beneficial Use of Solid Waste      CARRIED OVER**

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

This bill was carried over from the First Regular Session of the 129th Legislature.

This bill allows the Board of Environmental Protection to make changes to its rules regarding federally based screening levels for the beneficial use of solid waste as routine technical rulemaking pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

This bill was carried over to any special session of the 129th Legislature by joint order, S.P. 788. It was carried over in committee, and the committee had voted on the measure, but it had not yet been reported out.

**LD 1786      An Act To Update Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals      ONTP**

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

This bill was carried over from the First Regular Session of the 129th Legislature.

This bill amends the law restricting the sale of residential upholstered furniture treated with flame-retardant chemicals to align Maine's requirements with standards recently enacted in California. The bill also specifies that the Department of Environmental Protection is authorized, rather than required, to adopt rules to implement the section of law governing residential upholstered furniture.