

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
129TH 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

MEMBERS:

SEN. BROWNIE EVERETT CARSON, CHAIR
SEN. JUSTIN M. CHENETTE
SEN. ROBERT A. FOLEY

REP. RALPH L. TUCKER, CHAIR
REP. LYDIA C. BLUME
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/>

STATE OF MAINE

129TH 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 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

Public Law 2019, chapter 646 amends the State's consumer fireworks laws to provide that the required disclosures to purchasers of consumer fireworks by sellers of consumer fireworks must include guidelines regarding the safe and proper use of consumer fireworks around bodies of water; guidelines regarding the prevention of littering in the use of consumer fireworks; and guidelines regarding the effects from the use of consumer fireworks on wildlife, livestock and domesticated animals.

LD 1998 An Act To Amend the Waste Motor Oil Disposal Site Remediation Program **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARSON B	OTP-AM ONTP	

This bill amends the Finance Authority of Maine's waste motor oil disposal site remediation program by directing all remaining funds in the Waste Motor Oil Revenue Fund to the Department of Environmental Protection's Uncontrolled Sites Fund and by repealing the laws governing the program. Except for the premium imposed on the sale or distribution of motor vehicle oil, the laws governing the program are repealed June 30, 2020. The repeal of the premium imposed on the sale or distribution of motor vehicle oil is effective when the legislation is approved. The bill also amends other sections of law by correcting cross-references and making technical changes resulting from the repeal of the laws governing the program.

This bill was carried over to any special session of the 129th Legislature by joint order, S.P. 788. It was carried over as reported out of the committee without having been taken up by the House or the Senate.

LD 2006 An Act To Amend the Laws Governing Waste Discharge Analysis by Laboratories Operated by Waste Discharge Facilities **PUBLIC 580**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARSON B	OTP	

This bill allows a laboratory operated by a licensed waste discharge facility to analyze waste discharges for enterococcus without being certified by the Department of Health and Human Services, Maine Center for Disease Control and Prevention for the use of programs of the department or the Department of Environmental Protection.

Enacted Law Summary

Public Law 2019, chapter 580 allows a laboratory operated by a licensed waste discharge facility to analyze waste discharges for enterococcus without being certified by the Department of Health and Human Services, Maine Center for Disease Control and Prevention for the use of programs of the department or the Department of Environmental Protection.

LD 2033 An Act To Ensure Proper Closure of Oil Terminal Facilities **PUBLIC 678**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARNEY A MILLETTR	OTP-AM ONTP	H-710

This bill ensures proper closure of oil terminal facilities by establishing financial assurance and facility closure requirements. It develops a process for assessing the costs of decommissioning oil terminal facilities and

Joint Standing Committee on Environment and Natural Resources

infrastructure and establishing financial responsibility for closure costs. It requires, upon closure, removal of facilities and appurtenances and remediation of the site to an unrestricted use standard or the most protective use standard determined by the Department of Environmental Protection to be practicable. It also requires facilities not in use for 10 years to file a closure plan. The bill also requires oil terminal facilities to provide evidence of financial ability to satisfy liability under existing law.

Committee Amendment "A" (H-710)

This amendment, which is the majority report of the committee, makes the following changes to the bill.

1. It removes from the bill the requirement that oil terminal facilities not in use for 10 years file a closure plan.
2. It adds to the laws governing oil terminal facilities a definition for the term "related appurtenances."
3. It makes a number of technical clarifications and other changes to provisions in the bill dealing with the definitions of "facility closure" and "oil" and financial responsibility, liability and facility closure requirements related to oil terminal facilities.

Enacted Law Summary

Public Law 2019, chapter 678 establishes financial assurance and facility closure requirements for oil terminal facilities. It develops a process for assessing the costs of decommissioning oil terminal facilities and infrastructure and establishing financial responsibility for closure costs. It requires, upon closure, removal of facilities and appurtenances and remediation of the site such that it is suitable for residential use or meets the the most protective use standard practicable. It also requires oil terminal facilities to provide evidence of financial ability to satisfy liability under existing law.

LD 2104 An Act To Support and Increase the Recycling of Packaging

CARRIED OVER

Sponsor(s)

Committee Report

Amendments Adopted

This bill, which is reported out by the Joint Standing Committee on Environment and Natural Resources pursuant to Resolve 2019, chapter 42, section 2, establishes a stewardship program for packaging to be operated by a stewardship organization contracted by the Department of Environmental Protection following a competitive bidding process.

Under that program, producers of packaging pay into a fund based on the amount by weight of packaging material they sell, offer for sale or distribute for sale in the State. Producers can wholly or partially offset this payment obligation by implementing independent programs to recycle packaging of the same material type for which they have a payment obligation and can further reduce their payment obligation by reducing the amount of packaging they sell, offer for sale or distribute for sale in the State, by redesigning that packaging to make it more valuable as a recyclable material or by meeting other program incentive requirements.

Producer payments received by the stewardship organization are used to reimburse eligible municipalities for certain incurred recycling and waste management costs. To be eligible for such reimbursements, a municipality must share with the stewardship organization certain data regarding its incurred recycling and waste management costs. Recycling-related reimbursements to municipalities will be based on the median recycling costs incurred by similarly situated municipalities, while disposal-related reimbursements will be based on per capita disposal costs. The stewardship organization is authorized to use producer payments remaining after all reimbursements are paid to cover operational costs for the program, department fees, investments by the organization in education and