

**Supplemental bills for
LPC Subcommittee on
Criminal Justice & Public
Safety, Environment &
Transportation**

(Bills in order of Committee of jurisdiction)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1014

S.P. 293

In Senate, February 26, 2019

An Act To Attract and Retain Firefighters

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HERBIG of Waldo.
Cosponsored by Representative THERIAULT of China and
Senators: BLACK of Franklin, CYRWAY of Kennebec, DIAMOND of Cumberland, DILL of
Penobscot, KEIM of Oxford, Representatives: KINNEY of Knox, MASTRACCIO of Sanford,
STANLEY of Medway.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. Appropriations and allocations.** The following appropriations and
3 allocations are made.

4 **FIRE PROTECTION SERVICES COMMISSION, MAINE**

5 **Maine Fire Protection Services Commission 0936**

6 Initiative: Provides funding to the Maine Length of Service Award Program to provide
7 length of service awards to eligible volunteer firefighters and emergency medical services
8 personnel.

9

	2019-20	2020-21
10 GENERAL FUND		
11 All Other	\$2,500,000	\$2,500,000
12		
13 GENERAL FUND TOTAL	<u>\$2,500,000</u>	<u>\$2,500,000</u>

14 **SUMMARY**

15 This bill provides funding to the Maine Length of Service Award Program to provide
16 length of service awards to eligible volunteer firefighters and emergency medical services
17 personnel.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1038

H.P. 768

House of Representatives, February 28, 2019

An Act To Improve Funding for Maine's Hazardous Materials Emergency Response Teams

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MADIGAN of Waterville.
Cosponsored by Senator CYRWAY of Kennebec and
Representatives: AUSTIN of Skowhegan, DOORE of Augusta, MARTIN of Eagle Lake,
McCREA of Fort Fairfield, NADEAU of Winslow, TIPPING of Orono, WHITE of Waterville.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 983

H.P. 738

House of Representatives, February 26, 2019

An Act To Exempt from Permit Requirements the Repair of Low-head Dams

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative KESCHL of Belgrade.

Cosponsored by Representatives: ALLEY of Beals, BRENNAN of Portland, CAMPBELL of Orrington, COREY of Windham, DUNPHY of Old Town, MILLETT of Waterford, TUELL of East Machias, Senators: BLACK of Franklin, TIMBERLAKE of Androscoggin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §480-Q, sub-§2**, as amended by PL 2011, c. 205, §1, is further
3 amended to read:

4 **2. Maintenance and repair.** Maintenance and repair of a structure, other than a
5 crossing, in, on, over or adjacent to a protected natural resource if:

- 6 A. Erosion control measures are taken to prevent sedimentation of the water;
- 7 C. There is no additional intrusion into the protected natural resource; and
- 8 D. The dimensions of the repaired structure do not exceed the dimensions of the
9 structure as it existed 24 months prior to the repair, or if the structure has been
10 officially included in or is considered by the Maine Historical Preservation
11 Commission eligible for listing in the National Register of Historic Places, the
12 dimensions of the repaired structure do not exceed the dimensions of the historic
13 structure.

14 This subsection does not apply to: the repair of more than 50% of a structure located in a
15 coastal sand dune system; ~~the repair of more than 50% of a dam, unless that repair has~~
16 ~~been approved by a representative of the United States Natural Resources Conservation~~
17 ~~Service;~~ or the repair of more than 50% of any other structure, unless the municipality in
18 which the proposed activity is located requires a permit for the activity through an
19 ordinance adopted pursuant to the mandatory shoreland zoning laws and the application
20 for a permit is approved by the municipality;

21 **Sec. 2. 38 MRSA §480-Q, sub-§2-D**, as enacted by PL 2011, c. 205, §3, is
22 amended to read:

23 **2-D. Existing crossings.** A permit is not required for the repair and maintenance of
24 an existing crossing or for the replacement of an existing crossing, including ancillary
25 crossing installation activities such as excavation and filling, in any protected natural
26 resource area, as long as:

- 27 A. Erosion control measures are taken to prevent sedimentation of the water;
- 28 B. The crossing does not block passage for fish in the protected natural resource
29 area; and
- 30 C. For replacement crossings of a river, stream or brook:
- 31 (1) The replacement crossing is designed, installed and maintained to match the
32 natural stream grade to avoid drops or perching; and
- 33 (2) As site conditions allow, crossing structures that are not open bottomed are
34 embedded in the stream bottom a minimum of one foot or at least 25% of the
35 culvert or other structure's diameter, whichever is greater, except that a crossing
36 structure does not have to be embedded more than 2 feet.

37 For purposes of this subsection, "repair and maintenance" includes but is not limited to
38 the riprapping of side slopes or culvert ends; removing debris and blockages within the

1 crossing structure and at its inlet and outlet; and installing or replacing culvert ends if less
2 than 50% of the crossing structure is being replaced;

3 **Sec. 3. 38 MRSA §480-Q, sub-§2-E** is enacted to read:

4 **2-E. Low-head dams.** A permit is not required for the repair of any extent of a low-
5 head dam that is not a hydropower dam, whether privately or publicly owned, including
6 the reconfiguring of the low-head dam, as long as the water levels of the body of water
7 impounded by the dam do not vary by more than 24 inches;

8 **SUMMARY**

9 This bill exempts low-head dams from the permitting requirements for repair under
10 the Natural Resources Protection Act.



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 988

S.P. 278

In Senate, February 26, 2019

An Act To Reduce the Landfilling of Municipal Solid Waste

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland. (BY REQUEST)
Cosponsored by Representative CAMPBELL of Orrington and
Representatives: GRAMLICH of Old Orchard Beach, MAREAN of Hollis.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA §2202, sub-§1**, as amended by PL 1995, c. 465, Pt. A, §73 and
3 affected by Pt. C, §2, is further amended to read:

4 **1. Fees established.** The department shall establish procedures to charge fees
5 specified in this article and pursuant to the requirements of this article. ~~All~~ Except for
6 fees collected under section 2204, all fees collected by the department under this article
7 must be deposited into the Maine Solid Waste Management Fund.

8 **Sec. 2. 38 MRSA §2204, first ¶**, as amended by PL 2015, c. 461, §10, is further
9 amended to read:

10 Unless otherwise provided by rule adopted in accordance with subsection 4, the
11 department shall impose a fee of \$2 per ton on any municipal solid waste disposed of at a
12 commercial, municipal, regional association or state-owned landfill, ~~except that there is~~
13 ~~no fee on municipal solid waste generated by a municipality that owns the landfill~~
14 ~~accepting it or that has entered into a contract with a term longer than 9 months for~~
15 ~~disposal of municipal solid waste in that landfill facility.~~ All fees collected under this
16 section must be deposited into the Maine Solid Waste Diversion Grant Program under
17 section 2201-B.

18 **SUMMARY**

19 This bill removes the exemption to the municipal solid waste disposal surcharge for
20 municipal solid waste generated by a municipality that owns the landfill accepting it or
21 that has entered into a contract with a term longer than 9 months for disposal of municipal
22 solid waste in that landfill facility. The bill also directs the proceeds from the surcharge
23 to the Maine Solid Waste Diversion Grant Program.