



2011 LEGISLATIVE PRIORITIES for Maine's Environment



Natural Resources Council of Maine
Maine Environment
SPECIAL EDITION

This year's legislative session is shaping up to be one of the most hostile ever toward Maine's environment, with dozens of bills introduced that would weaken the laws that provide clean air, clean water, healthy forests and human health. But people from throughout Maine recognize the threat and are rallying to defend our environmental safeguards, telling their legislators that a clean environment is essential for a strong Maine economy. The Natural Resources Council of Maine will need your sustained involvement to defeat the sweeping anti-environmental agenda confronting us at the State House.

The onslaught began with Governor LePage's "Phase I Regulatory Relief Proposals," which included proposals to:

- repeal the laws that reduce Maine people's exposure to toxic pollutants, including the Kid Safe Products law that protects children from harmful chemicals,
- abolish Maine's Board of Environmental Protection,
- require that at least three million acres of Maine's North Woods be rezoned for development (an area 10 times the size of Los Angeles),
- roll back Maine's responsible recycling laws for electronic waste and other products,
- repeal a law that reduces air pollution from sulfur in home heating and industrial fuels, and
- weaken Maine's environmental laws to the lowest levels in the nation,

Then we started seeing environmental rollback bills from individual legislators. Some of these are related to the Governor's agenda. Others, if passed, would weaken or repeal additional parts of Maine's environmental protections.

The bad bills from lawmakers include ones that would repeal Maine's bottle bill; eliminate the state's energy efficiency building codes; weaken

water quality protection in our shoreland zoning law; abolish the Land Use Regulation Commission; undermine environmental enforcement; weaken laws that phase out toxic chemicals; undermine laws that protect significant wildlife habitat, sand dunes, and vernal pools, and more.

This unprecedented, anti-environment agenda could easily mark this session as the "Environmental Rollback Legislature," but NRCM and a broad coalition of other organizations, business and community leaders, and people across Maine are determined to stop these misguided proposals in their tracks. We are going to need your help to win.

Collectively, we need to push back hard on the false notion that wrecking Maine's environment is necessary in order to create jobs. It's just not true. To the contrary, for Maine to have a more economically secure future, we need to continue the job of building on Maine's record of environmental stewardship. We intend to do that this year by fighting against the rollback bills while pushing for funding for the Land for Maine's Future Program, adoption of rules to limit the toxic chemical BPA in baby bottles and other products, press for reduced dependence on oil and gas, and seek enactment of additional programs to get hazardous materials out of Maine's landfills.

We hope that you will stay involved and help us win. Read about our Legislative Priorities, outlined in this document. Visit our website www.nrcm.org for detailed updates about priority legislation. "Like" us on Facebook to be part of the conversation. Attend our Citizen Action Day in Augusta on April 5th (see below). And please contact your legislators and tell them to oppose legislation that would weaken Maine's environmental laws. Thank you for caring.

—Pete Didisheim, NRCM Advocacy Director

MAKE A DIFFERENCE! Attend Citizen Action Day Tuesday, April 5th



Concerned about the news coming out of the State House? Want to know what you can do to make a difference? Join us at our Augusta headquarters for Citizen Action Day to learn about the latest goings on at the State House and how to most effectively make your voice heard. You'll meet and hear from NRCM staff members and take a short walk across the street to the State House, where you'll have the opportunity to meet with your elected officials. Mark your calendar now and plan to join us on Tuesday, April 5th at our headquarters in Augusta. Learn more and register at www.nrcm.org.



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Natural Resources Council of Maine

2011 PRIORITY BILLS IN THE LEGISLATURE

Each year, NRCM works with 24 other environmental, conservation, and public health organizations to announce a common legislative agenda. Our groups, collectively known as the Environmental Priorities Coalition, will be working to secure passage of the following measures. This year, perhaps more than at any time in Maine's history, we also will be working jointly to stop the broad array of bills that would weaken protections for Maine's air, water, land, and wildlife.



Protect Maine Children from Toxic Chemicals

No child should be exposed to toxic chemicals in their baby bottles or sippy cups. Bisphenol-A (BPA) is linked to a broad number of health problems, and it is far too common. Safer alternatives to BPA already exist. We all have a stake in helping kids and families stay healthy, so the Legislature should adopt a rule—approved 5-0 by Maine's Board of Environmental Protection—that requires safer alternatives to BPA in reusable food and beverage containers (including baby bottles and sippy cups).

Action: Lawmakers should vote YES on LD 412, introduced by Rep. James Hamper (Oxford).

Reduce Maine's Dependence on Oil

Breaking Maine's oil reliance will strengthen our economy, reduce pollution, and improve health. More than half of Maine's energy comes from oil, leaving us extremely vulnerable to volatile oil prices while harming public health and the environment. Many solutions would build Maine's economy while reducing pollution. Maine lawmakers should pass the "Get Maine Off Oil Bill" to create clear goals that give us control over our energy future.

Action: Lawmakers should vote YES on LD 553, introduced by Rep. Stacey Fitts (Pittsfield).



The Alberta Tar Sands is an example of environmental damage caused by our addiction to oil.



ALLISON WELLS

Penny Lake, a Boothbay Region Land Trust preserve and LMF project

Invest in Land for Maine's Future

The Land for Maine's Future (LMF) program has preserved land in all 16 counties—forests, mountains, working waterfront, and farms, providing guaranteed public access to hundreds of thousands of acres and dozens of water bodies and protecting what is special about our state. Maine people strongly support this program, as demonstrated by the huge support it receives every time funding for LMF is on the ballot. Governor LePage has announced that he opposes all bonding for the next two years, but waiting means that critical opportunities to protect land will be lost.

Action: Lawmakers should vote YES on an LMF bond proposal proposed by Sen. David Trahan (Lincoln).

Get Hazardous Materials Out of Community Landfills

Turning today's trash into tomorrow's products creates new opportunities for Maine people and businesses to prosper. Managing solid waste amounts to more than 10% of municipal budgets each year, and costs keep growing. Many consumer products contain toxic materials that threaten our health and the environment when disposed of in incinerators or landfills. Maine's product stewardship laws for computers, TVs, printers, cell phones, mercury thermostats, and light bulbs are innovative and effective success stories that are reducing pollution, cutting costs, and creating jobs.

Action: Lawmakers should vote YES to implement recommendations of the Responsible Recycling Report presented to the Legislature by the Maine Department of Environmental Protection.



Natural Resources Council of Maine

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www.nrcm.org

Protecting, restoring, and conserving
Maine's environment, now and for
generations to come.

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STOP THE ANTI-ENVIRONMENT ROLLBACK AGENDA

Listed below are just some of the most harmful pieces of legislation introduced this year that we are working to defeat. You can track the status of this and all of the legislation we are working on this session by visiting NRCM's new, easy-to-follow Legislative Updates page on our website [www.nrcm.org/2011 legislative bill tracking.asp](http://www.nrcm.org/2011_legislative_bill_tracking.asp).

Rollback Agenda Disguised as “Regulatory Reform” Governor LePage is pursuing a sweeping package of proposals that would weaken Maine’s laws that protect our clean air, clean water, wildlife, our great North Woods, and the health of Maine people. Under the guise of “regulatory reform,” the Governor has advanced a set of ideas that benefit out-of-state corporate interests at the expense of Maine people. Proposals include repeal of laws that protect children from toxic pollution, ending our product stewardship programs, opening more than three million acres of Maine’s North Woods to development, and weakening Maine’s environmental safeguards to the lowest level in the U.S. This agenda will be pursued in a “regulatory reform” bill (LD 1) and through additional bills introduced throughout the legislative session.



Threats to Clean Water and Wildlife At least five bills have been introduced to weaken Maine’s shoreland zoning law, which helps protect Maine’s lakes, rivers, and coastal waters. Sen. Snowe-Mello (Poland) has introduced a bill (LD 219), which would drastically reduce the shoreland zone in Maine from 250 ft to 75 ft. Sen. Collins (York) has introduced LD 434 that would exempt essentially all wetlands from being protected by shoreland zoning laws. These bills would enable development much closer to the waterfront, resulting in increased pollution and loss of wildlife habitat, natural character, and recreational uses of Maine’s waterways. Maine has some of the clearest and cleanest lakes in the nation, but these bills put our clean waters at risk.

Attack on Maine’s Land Use Regulation Commission Rep. Paul Davis (Sangerville) has introduced a bill (LD 17) to abolish Maine’s Land Use Regulation Commission (LURC), transferring all of the agency’s responsibilities to the counties. Shifting LURC’s responsibilities to eight different counties would be more expensive, less efficient, less protective of Maine’s environment, and less predictable for developers. The result would be increased forest fragmentation, more development on remote ponds, and scattered development across LURC jurisdiction—the end of Maine’s North Woods as we know and treasure it today.

Misguided Assault on Energy Codes At least eight bills have been introduced that would eliminate or weaken Maine’s uniform building and energy codes—adopted in 2007 to help ensure that Maine’s new homes are built to meet basic energy-efficiency performance levels. Rep. Harvell (Farmington) has a bill (LD 43) to repeal these codes. Other lawmakers would “modify,” delay implementation, or create exemptions. Before the law was enacted, only 15% of Maine homes were meeting baseline energy efficiency standards. Repealing the law would put Maine people at higher risk of buying homes that waste energy and money.

Undermining Maine’s Bottle Bill Sen. Tom Martin (Benton) has introduced a bill calling for repeal of Maine’s highly successful bottle bill, while Rep. Kerry Prescott (Topsham) has proposed one that likely would weaken it. Maine’s bottle bill reduces road-side trash, reduces solid waste to our landfills, and fosters a culture of recycling and reuse of materials. Initiated in 1978, the beverage industry attempted to repeal the bottle bill in 1979 with a measure on the November ballot. It was rejected with 85% of the votes. Repealing the bottle bill would result in less recycling, more pollution, and more litter in Maine’s environment.

Attacking Maine’s product stewardship program Rep. Bernard Ayotte (Caswell) has introduced a bill to weaken Maine’s product stewardship law, adopted last year 134-0 in the House and 35-0 in the Senate. The existing law will promote the sustainable reuse of materials, help prevent the release of hazardous chemicals into the environment, and reduce costs for taxpayers and local governments while creating jobs through the collection and recycling of formerly discarded products.



Blocking Phase-out of the Toxic Pollutant “Deca” Sen. Snowe-Mello (Poland) and Rep. Cray (Palmyra) have introduced bills that would weaken Maine’s law that protects human health from exposure to a toxic chemical (DECA), by allowing other toxic flame retardants to be used as substitutes for DECA. These “clarifications” are being advocated by out-of-state interests, including the bromine industry. Weakening the law would increase exposure to toxic chemicals and undermine the legislative intent to require safer alternatives when they are available.



Weakening Protections for Vernal Pools Sen. Thomas (Ripley) has introduced legislation that would weaken protection of vernal pools—temporary water bodies that provide necessary habitat for amphibians and plants, including rare, threatened, and endangered species.

OTHER BILLS OF CONCERN

We also are closely watching bills including:

1. A bill by Rep. Moulton (York) to abolish the Office of Energy Independence and Security—not a good idea at a time when prices are rising and Maine is working to promote energy independence and a diversified energy mix.
2. A proposal by Sen. Snowe-Mello (Poland) that would weaken environmental enforcement by establishing a five-year statute of limitations for violations of environmental laws.
3. A bill by Rep. Timberlake (Turner) that would drastically weaken the requirement of farmers who spray pesticides using aircraft (helicopters or airplanes) or air blasters (powerful pump spraying machines similar to snow guns) to notify nearby residences.

Keeping Track of State House Action NRCM makes it easy for you to stay up-to-date on the most important legislation this session, with our new bill tracking web page. You can see what NRCM’s position is on each bill and why we support or oppose it. Visit often to track the status of each bill as it moves through committee and to Senate and House votes. Bookmark this page today! [http://www.nrcm.org/2011 legislative bill tracking.asp](http://www.nrcm.org/2011_legislative_bill_tracking.asp).



NRCM's Pete Didisheim at the Valentine's Day rally at the State House, attended by hundreds of moms, kids, business people, and community leaders.

Citizens Rally to Protect Maine's Environment

Hundreds of people from across Maine came to the State House on Valentine's Day to speak out about the need to protect Maine's environment. Mothers, children, business leaders, physicians, and citizens testified against the Governor's "Phase I" environmental rollback agenda. At a rally the same day, businessmen and women announced "Guiding Principles for Ensuring a Strong Maine Economy, Good Jobs, and a Clean and Healthy Environment." These guiding principles can help lawmakers sort through the raft of proposals for so-called "regulatory reform" that have been made in recent months.

"I urge the Legislature to be cautious in its tinkering with Maine's laws, and to be absolutely sure that any proposals that are enacted provide a clear benefit to Maine people and Maine businesses, and are not driven by the needs of companies that do not employ Maine workers."

—Heather Blease, Thayer Corporation



"Our lawmakers should only make changes in response to well documented opportunities for process improvements. They should not legislate based on anecdotes."

—Suzanne Kelly, owner, Bangor-based Kelly Realty Management

"I firmly believe that what's good for Maine's environment is good for Maine's economy. Ironically, some of the proposed roll-backs will actually drive up business costs."

—Jim Wellehan, owner, Lamey-Wellehan Shoes



"Like the old false choice that was foisted on us 40 years ago, a choice between pickerels or payrolls, these cries of alarm are hogwash—utter foolishness. In fact, the opposite is true. Maine's environmental laws have protected the one single advantage that Maine has over other states in the Northeast in attracting people and business, namely, our environment and quality of life."

—Hoddy Hildreth, CEO, Diversified Communications

"Five simple guidelines can help lawmakers sort out the good ideas from the bad and the ugly ones that have been offered at all these hearings and listening sessions."

—Jeff McEvoy, owner, Weatherby's Maine Fishing and Hunting Lodge, Grand Lake Stream

GUIDING PRINCIPLES

for Ensuring a Strong Maine Economy, Good Jobs, and a Clean and Healthy Environment

1. Proposals should benefit Maine people and businesses, and not the special interests of out-of-state corporations that do not employ Maine workers;
2. Proposals must have a direct relationship to strengthening Maine's economy and creating good Maine jobs, and must not put current jobs at risk;
3. Proposals should focus on improved implementation of Maine's laws and regulations, and not on a weakening of Maine's environmental standards and safeguards;
4. Proposals should be founded on well-documented opportunities for process improvements, and not be based on an isolated case, single anecdote, or unsubstantiated assertion; and
5. Proposals must ensure continued protection of Maine's air, water, land, wildlife, and the good health of Maine people.

Please help build support for protecting Maine's environment by contacting your state representatives today and asking them to endorse these guiding principles. A copy can be printed from the NRCM website, so you can mail it to your legislator. Contact information for your legislator can be found on our www.nrcm.org.

 Like us

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Are you on Facebook?

"Like" the Natural Resources Council of Maine to learn about up-to-the minute stories, event invites, and be part of the lively and ongoing conversation about the need to protect Maine's environment.

From our Facebook Wall:

“I went to the So. Portland Legislative hearing. All attendees seemed enthusiastic about opposing the environmental roll backs. I hope the legislators were listening!” —Alix Pratt

“NRCM has done so much to keep Maine beautiful. Don't let this new governor set the state back 50 years!” —Connie Zdenek

“Even if you aren't political, it is time to get involved!” —Melani Darrell

Threats to Maine's environment often come without warning. **Partners in Maine's Future** members provide a predictable income stream through automatic monthly deductions from your savings or checking account. Call to sign up or FMI (800) 287-2345.

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NRCMenvironment.



Help Us Stop the Rollbacks! Donate Today!

An all-out attack on safeguards for Maine's environment has begun. Rollback proposals are already in the works, and protections for our land, air, water, and human health are at serious risk. **Help us keep these rollbacks from becoming a reality.** Your donation to the Natural Resources Council of Maine will truly make a difference.

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