



Tar sands oil pipeline protest, Portland, January 26, 2013.



Natural Resources  
Council of Maine

**Maine Environment  
SPECIAL EDITION**

## 2013 LEGISLATIVE PRIORITIES for Maine's Environment

The new legislative session is underway, with new leadership, a big crop of new legislators, and more than 1,700 new pieces of proposed legislation to consider. The legislative committees all have new House and Senate chairs, and the make-up of the committees is new. With all of this newness at the State House, we see important opportunities to build bipartisan support for new laws to protect Maine's clean air and clean water, boost energy efficiency and clean energy, protect fish and wildlife habitat, and further reduce health threats from toxic chemicals.

And there's another important new development this year: we face fewer environmental rollback bills. At the start of the 125<sup>th</sup> Legislature in January 2011, NRCM identified more than 50 bills introduced by Governor LePage and his allies to weaken Maine's environmental laws. In sharp contrast, this year we've identified fewer than 20 such bills—still a concern and a major piece of work for us, but evidence that lawmakers understand that Maine people oppose proposals that threaten our land, air, water, and wildlife.

During the months ahead, we will work hard to defeat every rollback bill, while we focus our attention on the following top priorities:

- 1) **Protect Water Quality from Open-Pit Mining.** We are working with a broad coalition of legislators, Maine citizens, and organizations to amend the open-pit metal mining law adopted last year so that it is more protective of our environment.
- 2) **Restore Alewives to the St. Croix River.** This year we hope to overturn a 1995 law that prevents alewives (river herring) from swimming to their habitat and spawning grounds up the St. Croix River.
- 3) **Increase Investments in Energy Efficiency.** Reducing energy costs for Maine people and businesses through increased



investments in energy efficiency needs to be a top priority for this Legislature. The savings could be huge.

- 4) **Strengthen Protections from Toxic Chemicals.** More action is needed to protect Maine people, especially our most vulnerable—pregnant women and children—from the most harmful chemicals in consumer products.
- 5) **Safely Recycle Unwanted Paint.** Maine has been a leader in creating programs to capture unwanted products for recycling and safe disposal. This year we hope to create a program that addresses the dangers posed by unwanted paint.

These are some of the big issues NRCM will be working on, but they are just a subset of what we will be taking on at the State House. NRCM staff members will testify and speak with legislators on as many as 100 different bills before the legislative session ends in June. Throughout the session we will work closely with our allies in the Environmental Priorities Coalition and beyond, and we also look forward to working with you.

We hope that you will stay involved. We will keep you informed and let you know when and how to contact your elected officials as priority legislation moves through the process. You can also visit our website at [www.nrcm.org](http://www.nrcm.org) for detailed updates on our work at the State House. And I hope you'll consider registering today for our annual Citizen Action Day in Augusta, to be held this year on April 2. Elected officials have said, time and again, that the voices of their constituents make a big impression upon them. Meeting with them in person is a great way to make sure they know how you expect them to vote. Citizen Action Day was created for you, just for this purpose.

As always, thank you for your support.

—Pete Didisheim, NRCM Advocacy Director

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**MAKE YOUR VOICE HEARD!**  
**Join us for Citizen Action Day**  
**Tuesday, April 2<sup>nd</sup>**

Help protect the Maine you love! (See page 4)



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Council of Maine**  
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**CHECK YOUR LABEL!**  
Please call NRCM with  
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# NATURAL RESOURCES COUNCIL OF MAINE

NRCM takes pride in being the one organization in Maine that brings focused advocacy attention across the full range of environmental issues that require our attention. Issues such as renewable energy, open-pit mining, climate change, water quality, air pollution, wildlife habitat, land conservation, and more.

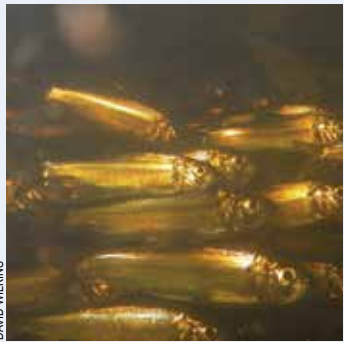


J. BERKINSON

## Protect Water Quality from Open-Pit Mining.

Last spring the Legislature suddenly faced an after-deadline bill to completely rewrite and weaken Maine's laws that have protected Maine people, wildlife, and waters from the toxic byproducts of mining for metals such as copper, gold, and zinc. NRCM and others worked hard to eliminate the worst provisions, but we opposed the final bill and remain concerned that the new law—and the rules under development by the Maine DEP to implement it—could provide a green light for mining operations to pollute Maine's lakes, rivers, and ground water. "The J.D. Irving Corporation wants to create an open-pit mine at Bald Mountain in Aroostook County that could pollute rivers in the area, but the problem we are facing is bigger than just Bald Mountain because the law passed last year applies statewide," says NRCM Staff Scientist Nick Bennett. Several bills have been introduced to revisit the mining issue. The bill that NRCM will work hardest to pass, sponsored by Rep. Jeff McCabe (D-Skowhegan), would strengthen protections for water quality and ensure that taxpayers do not get stuck paying to clean up pollution caused by mining companies. The type of mining proposed for Maine has never operated successfully without polluting nearby water resources. That's why Rep. McCabe's bill also includes a "Prove It First" provision requiring mining companies to identify a mine elsewhere in the U.S., in a similar climate to Maine's, that has operated for 10 years without polluting lakes, rivers, and ground water. This common sense provision will help ensure that Maine does not become an "experimental site" for a mine that leaves us with pollution for generations to come.

**Action:** Lawmakers should adopt *An Act to Protect Water Quality and Avoid Taxpayer Clean-up Costs from Metallic Mineral Mines*, sponsored by Rep. Jeff McCabe.

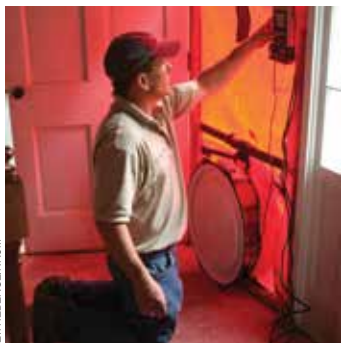


DAVID WILKINS

## Restore Alewives to the St. Croix River.

NRCM has been working for more than two decades to create healthy fish populations returning to Maine's rivers. Toward that end, we strongly encourage the Legislature to overturn a 1995 law that blocks alewives (river herring) from swimming up the St. Croix River to their natural habitat and spawning grounds. "Reopening the St. Croix to alewives is a critical step that the Legislature needs to take now to help the Passamaquoddy Tribe, commercial fishermen in the Gulf of Maine, and the health of Maine's rivers," says NRCM Executive Director Lisa Pohlmann. Alewives, a native Maine fish, are a critical food source for many valuable fish species, including salmon, striped bass, bluefish, cod, and haddock. In the 1980s, more than 2.6 million alewives traveled from the Gulf of Maine up the St. Croix River to native spawning habitat in upstream lakes. After Maine's 1995 Legislature voted to prevent alewives from heading upstream by closing two dams on the river, fewer than 1,000 fish returned. Lawmakers took this misguided action in response to fishing guides who wrongly claim that the returning alewives harm populations of smallmouth bass, a nonnative species valued by sport fishermen. But there is no scientific evidence to support this claim. To the contrary, smallmouth bass and alewives coexist just fine in lakes and waterways throughout Maine and the Northeast. Over time, opening up the St. Croix River to alewives could produce a run of 20 million fish each year, which would provide huge benefits for the health of ground fish in the Gulf of Maine, and the commercial fishing industry that depends on them.

**Action:** Lawmakers should adopt *An Act to Reopen the St. Croix River to River Herring (LD 72)*, sponsored by Rep. Madonna Soctomah, the Passamaquoddy Tribe's representative to the Maine Legislature.



E. THERBERG/NRCM

## Invest in Energy Efficiency.

Maine invests less per capita in energy efficiency than almost every other New England state. The Efficiency Maine program has identified ways that we could reduce energy costs by hundreds of millions of dollars if we pursued easily achievable and cost effective efficiency programs. So what's standing in the way of increasing our investment in energy efficiency? Part of the problem is politics, and part of the problem is a broken system for making decisions about energy efficiency. Both problems could be fixed this session. "Mainers have very little control over the price of energy supplies, but we can control how much energy we use—that's why we need to increase our investments in energy efficiency," says NRCM Clean Energy Project Director Dylan Voorhees. Efficiency Maine has demonstrated that it costs half as much to save a kilowatt hour of electricity as it does to buy a kilowatt hour. But, despite this fact, Maine decisionmakers have balked at taking steps to capture those savings. Sen. Jim Boyle (D-Cumberland) has introduced a bill that would ensure ratepayers pay as little on their energy bills as possible by ensuring Maine maximizes its investments in energy efficiency improvements that save money and reduce costs. We don't want the process to be political or bureaucratic. We need it to focus squarely on reducing energy costs. Lawmakers also will consider bills that would create increased job training for energy efficiency professionals, authorize a bond for home weatherization, and require energy audits when a home is sold.

**Action:** Lawmakers should pass *An Act to Improve Maine's Economy and Lower Energy Costs Through Energy Efficiency*, sponsored by Sen. Boyle, and other legislation that improves the energy efficiency of Maine homes and businesses.



NRCM FILE

## Strengthen Protections from Toxic Chemicals.

More action is needed to protect Maine people, especially pregnant women and children, from the most harmful chemicals that are still found in consumer products. Last year, Maine took the important step of identifying 49 "Chemicals of High Concern" that can be found in consumer products. Scientific evidence shows that these chemicals can cause cancer, reproductive problems, and hormone disruption. But without further legislative action, Maine will not take the steps needed to protect Maine people from exposure to these chemicals. Sen. Seth Goodall (D-Kennebec) has introduced a bill to address this problem by requiring the Maine DEP to identify two priority chemicals each year for further analysis, and, if called for, restrictions. The bill also phases out a loophole that exempts most food packaging from Maine's Kid-safe Products Act, and it authorizes the State to require labeling of some products so consumers know whether a potentially harmful chemical is contained in the product.

**Action:** The Legislature should pass *An Act to Further Protect Pregnant Women and Children from Toxic Chemicals*, sponsored by Sen. Seth Goodall.



NRCM FILE

## Recycle Unwanted Paint.

An estimated 300,000 gallons of leftover paint is unused in Maine each year, most of which piles up in our basements because we do not know how best to safely dispose of it. Some of the unused paint is dropped off by citizens at household hazardous waste cleanup events hosted by municipalities, but towns then spend significant sums of money managing and disposing of the used paint, at taxpayers' expense. A solution to this problem has been rolled out in other states, and we hope to establish a similar program in Maine. Oregon for example, has had a successful product stewardship program in place for unwanted paint. During its first 12 months, the Oregon program collected nearly 500,000 gallons of paint, 47 tons of plastic paint pails, and 65 tons of metal cans—virtually all of which was recycled or processed for reuse. Sen. Tom Saviello (R-Franklin) has introduced a bill that would create a recovery and recycling program for unwanted paint that would build on Maine's successful existing product stewardship programs. "We will be working with legislators and representatives of the paint industry to establish a recycling program that works well for Maine," says NRCM Toxics Policy Advocate Abby King.

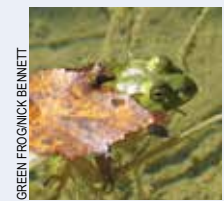
**Action:** Legislators should adopt *An Act To Establish a Product Stewardship Program for Architectural Paint*, sponsored by Sen. Saviello.

# 2013 PRIORITY BILLS IN THE LEGISLATURE

that emerge at the State House. More than 1,700 bills have been introduced this year, and we will read every single one to determine which legislation, product stewardship, and toxics all will be debated this year. The issues below are some of the top priority issues NRCM will be working on.

## STOP ENVIRONMENTAL ROLLBACK BILLS

We are pleased that legislators have introduced fewer environmental rollback bills this year, but we still need to defeat any measure that would weaken safeguards for Maine's clean air, clean water, wildlife habitat, and natural resources. Legislative language is not yet available for most of the 1,700 bills that have been introduced, but we already are concerned about some bills—based on their titles—that would do the following:



### Weaken Vernal Pool Protections:

Rep. Dick Campbell (R-Orrington) has introduced a bill that appears to change setback protections for vernal pools, which are critical habitat for many species including frogs, turtles, ducks, and other wildlife.

**Undermine Clean and Efficient Energy:** Governor LePage has introduced a couple of bill titles that could have the effect of dismantling Maine's renewable energy program and harming our energy efficiency initiatives.



**Weaken Shoreland Zoning:** Rep. Dick Campbell also is pursuing a bill that changes the required setback for shoreland zoning, which helps to protect wildlife habitat and water quality in Maine's lakes, rivers, and coastal waters.

**Restrict Alewives:** Although NRCM and many others are working to pass a bill (LD 72) to provide full passage of alewives in the St. Croix River

(see previous page), the governor will propose legislation that continues to restrict alewife passage in the St. Croix.

**Regulatory Takings:** We anticipate a bill from Sen. Ron Collins (R-York) that would try to resurrect the regulatory takings legislation that was soundly defeated last year. Maine people should not pay developers to obey Maine's environmental laws, but that's what these regulatory takings bills are trying to do.



**Weaken the Bottle Bill:** We'll be watching a bill from Sen. Sherman (R-Aroostook) and a bill from Sen. Jim Hamper (R-Oxford) that could harm Maine's successful bottle bill law by making changes to the collection and bottle redemption system.

**Undermine Kid-safe Products Law:** Sen. Hamper also has introduced a bill title that appears designed to create a new loophole in Maine's Kid-safe Products Act. Our goal is to close loopholes, not allow new ones.

## Other Bills of Interest



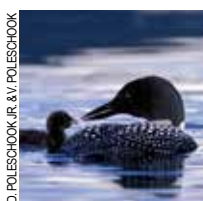
**Tar Sands Oil Pipeline.** Lawmakers are likely to debate issues associated with a possible pipeline that would deliver tar sands from Montreal across Maine, passing next to Sebago Lake and other important waterways. Two bills have been introduced that would propose restrictions on tar sands. Although these bills may face legal hurdles, the voices of Maine people will continue to be important on this issue.

**Renewable Energy.** Many bills have been introduced to promote renewable energy, particularly small-scale projects. Maine would again have a solar rebate program if a bill introduced by Rep. Terry Morrison (D-South Portland) were to be approved. Funding for these rebates ran out several years ago, and attempts to restore the program failed. Two legislators are proposing a feed-in tariff program, which would provide incentives for renewable energy development through payment contracts with utility companies.



**Land for Maine's Future** We don't anticipate legislators voting this year on a new Land for Maine's Future bond, having passed a bond that was approved by voters at the polls last November. But the LMF program will be addressed in a couple of other ways. Rep. Janice Cooper (D-Yarmouth) has introduced a bill that would create an ongoing funding source, through an allocation of the

meals and lodging tax, and legislators from both parties have introduced bills that would restrict the ability of the governor to withhold expenditure of bonds approved by Maine citizens. Governor LePage has caused huge uncertainties for dozens of land conservation projects by refusing to issue LMF bonds passed by Maine voters.



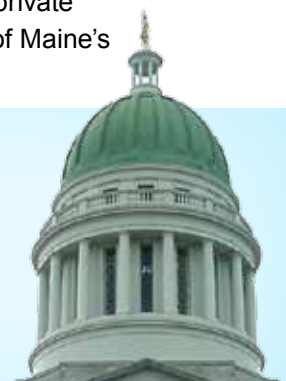
**Lead Sinkers.** Scientific evidence is growing that the lead contained in fishing tackle is causing lead poisoning of adult Common Loons. Although Maine currently has a ban on the sale of lead sinkers that are 1/2 ounce or less, larger lead sinkers and jigs appear to be contributing to loon mortality from the direct ingestion of the fishing tackle on the lake bottom or attached to the fish they eat. A bill has been introduced by Rep. Anne Haskell (D-Portland) to ban the larger sinkers and jigs that are contributing to loon deaths.

**East-West Highway and Energy Corridor.** Several lawmakers have introduced bills to rescind \$300,000 provided last year for a financial feasibility study of a possible private, limited-access, 230-mile East-West highway cutting across Maine. Lawmakers also will debate bills to prevent the use of eminent domain powers in connection with an East-West highway project developed through private investment, and ensure that if such a project is pursued as a public-private partnership that it be subjected to the full requirements of Maine's Freedom of Access Act.

Stay up-to-date during the 2013 session by visiting our State House Updates page.

Bookmark it and visit often for the latest on bills related to Maine's environment.

[www.nrcm.org/statehouse\\_updates.asp](http://www.nrcm.org/statehouse_updates.asp)



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Protecting, restoring, and conserving  
Maine's environment, now and for  
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1 / Pickerel frog, by Beth Dimond

2 / Skiers in Jefferson, by L.Pohlmann/NRCM

3 / Cobbossee Stream, West Gardiner, by Allison Childs Wells

4 / Child in snow, Augusta, by Dylan Voorhees

5 / Wolfe's Neck State Park, Freeport, by Stacie Haines

6 / Owl's Head, by NRCM member Sam Horine

7 / Red fox, by NRCM member David Small

8 / Humpback whale, by NRCM member Beth Aduabato

Front Page Banner /

Tar sands rally in Portland on January 26, 2013,  
photo by Michael Horan



KATHY HESELTINE



MAINE RUNNING PHOTOS

Polar bear dashers Jacqueline MacNeil and Sunita Sharma

**NRCM's Polar Bear Dip & Dash 2012 a big success!** About 200 hardy participants gathered on a chilly day for a 5k run and polar plunge for a great cause. Thanks to the overwhelming participation of individuals and corporate sponsors, we raised more than \$15,000 for our work to curb climate change. The event garnered great press coverage of a tutu-wearing polar bear, a plunging bridal party of 10, face paint galore, and one of the cutest baby polar bears we have ever seen! A big thanks to all



NRCM

participants and business sponsors: WCLZ, Lee Auto Malls, Robinson Financial, ReVision Energy, Penobscot Home

Performance, Renys, Clynk, Patagonia, Lamey Wellehan, Whole Foods Market, Coffee By Design, Jamie Hogan, Malley Weber, and Back Country Excursions. View photos of all the fun at [www.nrcm.org/2012dipdash\\_slideshow.asp](http://www.nrcm.org/2012dipdash_slideshow.asp) or at our Facebook page: [facebook.com/NRCMenvironment](http://facebook.com/NRCMenvironment).



Like us



### 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:

- “ Glad to have NRCM looking out for us...” —*Donald Simoneau*
- “ Even if you aren't political, it is time to get involved!”—*Melani Darrell*
- “ Doing awesome things for the future of Maine.” —*David McLean*

Follow us on Twitter! Search for NRCMenvironment.



## Portland Tar Sands Rally a Huge Success!



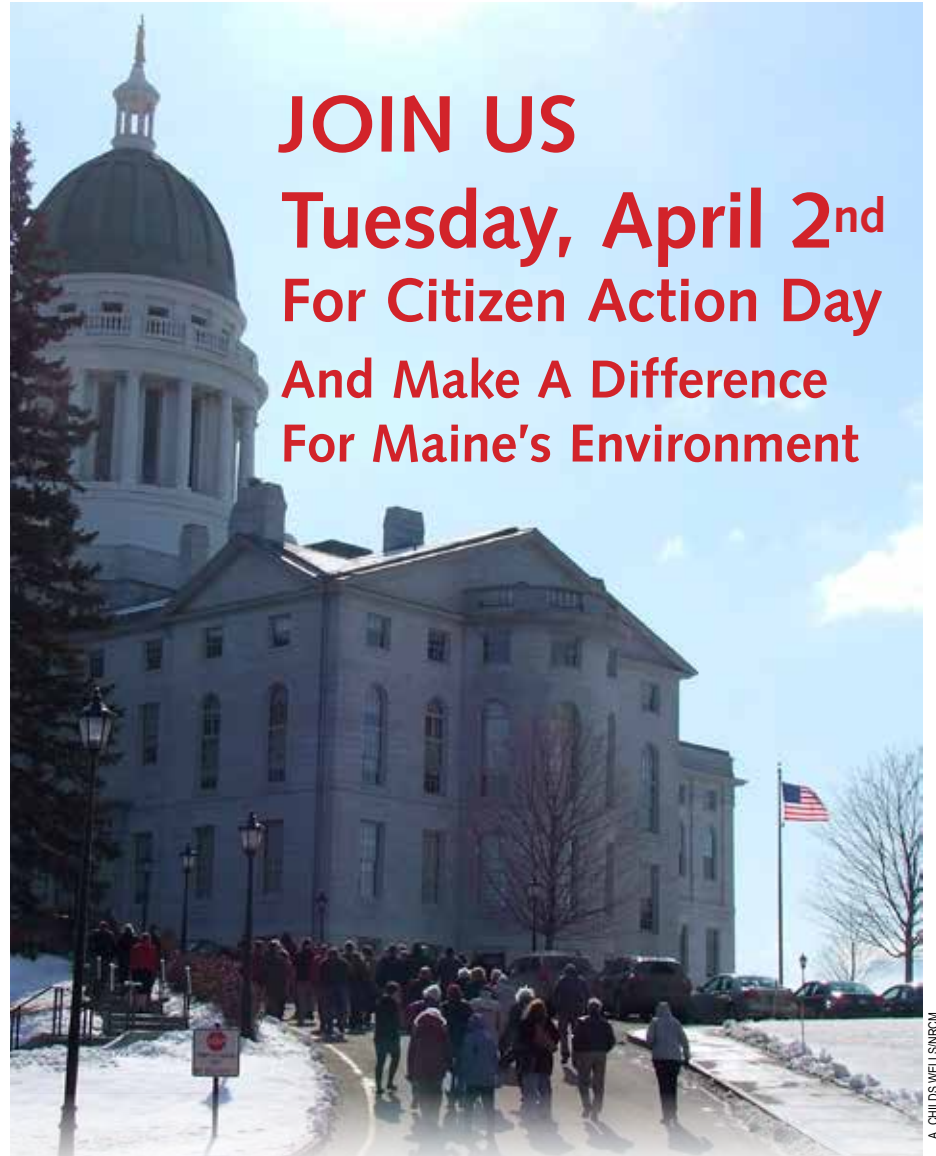
More than 1,400 people from across Maine, New England, and Canada gathered in Portland on Saturday, January 26, to oppose the prospect of tar sands coming through Maine. Representative Chellie Pingree, Portland Mayor Michael Brennan, and a line up of other

speakers including NRCM Executive Director Lisa Pohlmann and other staff spoke to the crowd gathered on the Maine State Pier to voice their opposition to tar sands pumped across Maine to Casco Bay via a 62-year-old pipeline. NRCM staff members worked behind the scenes for weeks to organize the event, and thanks in large part to



so many NRCM supporters, the event was a huge success! You can

view photos from the rally and read news coverage on our website at [www.nrcm.org/TarSandsRally.asp](http://www.nrcm.org/TarSandsRally.asp) and Facebook page at [facebook.com/NRCMenvironment](http://facebook.com/NRCMenvironment).



A. CHILDS WELLS/NRCM

# JOIN US Tuesday, April 2<sup>nd</sup> For Citizen Action Day And Make A Difference For Maine's Environment

**Want to make your voice heard on issues that matter to you?** Join us for Citizen Action Day at the State House. We'll share with you the latest updates on important legislation affecting Maine's environment and give you tips for speaking with your legislators. 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 and plan to join us Tuesday, April 2, at our headquarters in Augusta. Learn more and register at [www.nrcm.org](http://www.nrcm.org).

## Tune in to the Maine Green Minute



NRCM is pleased to be teaming up with 98.9 WCLZ to bring you the Maine Green Minute—easy tips you can use every day to reduce your impact on Maine's environment, and the planet! Tune into WCLZ-FM radio to get your daily tip, or stream them live at [www.989wclz.com](http://www.989wclz.com). The spots feature NRCM's outreach coordinator Todd Martin as the voice of NRCM. Listen to the latest tips at [www.nrcm.org/MaineGreenMinute.asp](http://www.nrcm.org/MaineGreenMinute.asp) Thanks for joining NRCM and WCLZ in taking steps to keep Maine a beautiful and healthy place to live, work, and play!

## Help Protect the Maine You Love



COURTESY OF KATE RUSH

The 2013 legislative session has begun. For more than 50 years, people who love Maine have trusted the Natural Resources Council of Maine to work for safeguards that protect our land, air, water, and wildlife—and to stop legislation that harms the places and people we care about. Your tax-deductible membership donation helps provide resources we need to

go up against powerful opponents—and win. Donate online at [www.nrcm.org](http://www.nrcm.org) or by calling us at (800) 287-2345. Your donation will help protect Maine, today and for future generations. Thank you!