

# 2010 LEGISLATIVE PRIORITIES for protecting Maine's environment

Lawmakers returned to Augusta on January 6th and immediately jumped into gear. So did we. Although the top challenge will be dealing with the State's serious \$438 million budget shortfall, important environmental bills also are up for consideration. We are optimistic that progress can be made on a number of issues.

NRCM advocacy staff will be working on seven bills that also have been selected by the Environmental Priorities Coalition, which consists of 26 organizations, including NRCM, working together to move Maine's environmental agenda forward. These bills include efforts to protect forests and stream crossings, prevent exposure to dangerous chemicals, ensure reductions in air pollution, and encourage energy-efficient development.

NRCM is tracking more than 40 bills in total, and we have testified on several already. The session is moving quickly, so many of us already are spending long hours at the State House to make sure that legislators hear from those of us who want to protect Maine's environment. On January 19th, our coalition of organizations briefed lawmakers about our top priorities, and we held a well-attended press conference to communicate more broadly about the big



environmental issues that will be addressed this session.

But we need your help, because people across Maine really make a big difference. As the legislative session progresses, we urge you to participate. Legislators tell us over and over that the voices of their constituents have a big influence on how they vote. If you are not part of NRCM's Action Network, then we encourage you to sign up today at [www.nrcm.org](http://www.nrcm.org). You'll receive legislative updates and information about ways that you can help ensure success on our environmental priorities. You can decide for yourself when and how you want to be involved.

We also encourage you to come to Augusta on February 23rd to participate in our annual Citizen Action Day. Please mark your calendar and contact us for more information. Citizen Action Day will provide you with an opportunity to learn about major pieces of environmental legislation, meet with your elected representatives, and play a part in the protection of Maine's environment. You'll also have a good time!

With your help, we will continue to protect what's special about Maine.

—Pete Didisheim, Advocacy Director



Ever wonder how a bill becomes law? Find out at our website: [www.nrcm.org/project\\_statehousewatch.asp](http://www.nrcm.org/project_statehousewatch.asp)

## Join us for Citizen Action Day Tuesday, February 23<sup>rd</sup> (See page 3)

**PHOTO CREDITS:**  
Banner: Winthrop, by Beth Dimond  
My Maine This Week photos:  
Pleasant Mountain, by George Aponte Clarke;  
Blueberries, North Haven, by Terry Sprague;  
Sandy Stream Pond, by Waynette Shafer;  
Orono, by Abby Jones; Machias River, by NRCM/MissingLynx

NON-PROFIT  
U.S. POSTAGE  
PAID  
BRUNSWICK, ME  
PERMIT NO. 65



3 Wade Street  
Augusta, Maine 04330-6317

**CHECK YOUR LABEL!**  
Please call NRCM with  
address corrections  
or duplicate mailings!



# Natural Resources Council of Maine 2010 Priority Bills in the Legislature



**Expand a Toxic Chemical Ban** In 2007, Maine legislators banned a toxic chemical known as DECA from being used as a flame retardant in consumer electronics, furniture, and mattresses sold in Maine. DECA is a persistent toxic chemical that could delay brain development in children and poses other serious health risks. It also threatens the health of our environment. The out-of-state manufacturers of DECA spent huge sums in Maine trying to defeat the legislation, but they lost—which means Maine people and wildlife won. Now, the DECA chemical companies have found another way to sell their toxic product. DECA is being used in plastic shipping pallets, including pallets used to transport food. “This is a big problem,” says NRCM Toxics Project Director Matt Prindiville. “Just when we thought DECA had been removed from consumer products, we learn that plastic pallets that transport all sorts of merchandise could end up containing tens of millions of pounds of this toxic chemical.”

House Speaker Hannah Pingree (D-North Haven) has introduced a bill (L.D. 1568) to close the loophole in the 2007 Maine law that bans DECA, so that this toxic compound is eliminated from being used in plastic pallets. The ban would be effective starting in January 2011.

**Leadership in Product Stewardship** Maine has enacted a series of important laws that assign manufacturers of consumer products the responsibility of helping pay for disposal costs of the products. The electronic waste (e-waste) law that NRCM helped get enacted in 2004 requires manufacturers of computers and TV sets to collect obsolete products and recycle the materials responsibly. Similar Maine laws adopted in recent years cover mercury thermostats and fluorescent light bulbs. Other states have followed Maine's lead. We now see an opportunity to establish the concept of product stewardship as a guiding policy for Maine's solid waste management program, through passage of a bill (L.D. 1631) introduced by Rep. Melissa Walsh Innes (D-Yarmouth).

The proposed legislation would make Maine's Department of Environmental Protection responsible for identifying products for which manufacturers should assume responsibility for collection, recycling, and disposal costs at the end of the products' life. “This bill could save money for Maine taxpayers and help protect the environment by requiring manufacturers to collect products that should not end up in our landfills, transfer stations, or waste incinerators,” according to NRCM's Matt Prindiville.

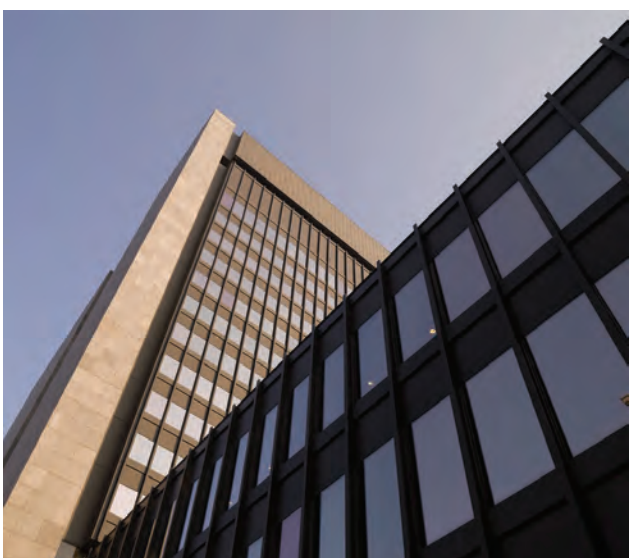


**Clean Air through Cleaner Fuel** Maine continues to suffer significant air pollution problems due to emissions resulting from the burning of fossil fuels, both in-state and upwind. Sulfur and particulate matter released from fuel combustion has been linked with increased emergency room visits, respiratory illness, and premature death. Children, seniors, and those with lung or heart disease are most at risk, but air pollution also results in a brown haze that can deprive everyone of a clear view of Maine's many scenic parks and landscapes.

To reduce the problems associated with dirty energy sources, we need more renewable energy and increased energy efficiency to help reduce fossil fuel combustion. But we can also burn cleaner fuels. Sen. Seth Goodall (D-Richmond) has proposed a bill (L.D. 1662) requiring that heating oil used in Maine meet ultra-low levels of sulfur content, starting in 2014. “All of the northeastern states need to shift toward heating oil that will cause fewer human health and environmental impacts,” said Dylan Voorhees, clean energy project director. “This bill would help make sure that Maine does its part to cut sulfur and particulate pollution.”

**Funding to Support Saltwater Fisheries** Maine residents and visitors to our state enjoy recreational saltwater fishing, but the time has come to establish a Maine-based saltwater fishing license to help support and strengthen the fishery. Beginning in 2011, people who live in states without a state saltwater fishing license will have to sign up with a National Registry each year, for an estimated \$25. This federal fee would not benefit Maine. But Maine has the option of establishing its own saltwater fishing license program—and capturing the license revenues for important programs managed by Maine's Department of Marine Resources.

Rep. Leila Percy (D-Phippsburg) introduced legislation (L.D. 1331) last year that would establish a \$15 fee for a saltwater fishing license. Other coastal states have provided substantial benefits from the revenues from such a license, for programs such as habitat restoration, enhancement of fish stocks, and increased public access. Opponents of the bill prefer a “free” registry, but the truth is that Maine's fisheries need improved management programs to stay healthy, and there are real costs associated with managing a registry, too. “This bill requires anglers to have a saltwater fishing license just as a license is already required for freshwater fishing, recreational clamming, lobstering, and all types of hunting,” says NRCM Staff Scientist Nick Bennett. “The collected revenues will support vital state programs to improve the health of our fisheries.”



**Energy Efficient Development** Maine has taken many important steps to reduce global warming pollution, including encouraging the development of appropriately sited wind power and setting ambitious goals for weatherizing Maine homes and businesses. But we also need to stop adding buildings to Maine's infrastructure that waste energy and result in more pollution for the future. Too many new developments are not taking advantage of energy-efficient technologies and designs, even if those approaches offer substantial savings on energy costs.

Sen. Seth Goodall last year introduced legislation (L.D. 891) that would establish a new climate change standard for new development. The bill was “carried over” to the current session, and is still under consideration. “This important bill would require Maine's Department of Environmental Protection (DEP) to develop new rules to ensure that future private developments will incorporate energy-efficient design principles,” says NRCM's Dylan Voorhees. “We are working hard to ensure that the final language includes a mandatory standard for emissions of climate-changing pollution from new developments, along with a mitigation option for projects that cannot directly meet the standard. If buildings are not built to strong energy efficiency standards now, then they will need to be retrofitted down the road at greater cost to the owner, and society.”



## Other Legislation of Interest

Over the course of the 2010 Legislative Session, NRCM staff members will be tracking hundreds of bills. Here are just a few:

**Close a Development Loophole** Some of Maine's environmental laws allow roads to be built for forestry management purposes without much regulatory review. Unfortunately, this exemption has been abused and represents a loophole that needs to be closed. Roads initially proposed for forestry are being converted into roads for access to subdivisions—with a level of traffic and environmental impact that might never have been allowed if the initial proposed road specified the eventual intended use. Rep. Joan Welsh (D-Rockport) has introduced a bill (L.D. 1538) to close these loopholes, clarifying that the forest-management exemptions do not apply to roads that provide access to a subdivision.



**Rules for Kid-Safe Chemicals Law** Rules to help implement the 2008 Kid Safe Chemicals law will come back to the Legislature this session. This law authorizes Maine DEP to prioritize the worst chemicals that expose children to toxics and to require the use of safer alternatives. The rules establish fees to help cover DEP's regulatory and administrative costs, and help cover alternative assessment expenses in cases when a manufacturer fails to conduct a proper assessment.



**Pesticide Notification** The Legislature adopted an important bill last year that requires that Maine people receive proper and timely notification when pesticides will be applied nearby through aerial or air carrier devices. A package of amendments (L.D. 1547) will be offered to make the system more manageable, help the public understand what to expect from pesticide-spraying neighbors, and make enforcement easier for administrators.

**Fish Passage** Maine is filled with rivers, streams, and brooks, and we also have thousands of miles of roads that cross those waters. Many of the culverts built to pass water under the road are too small or poorly designed to allow fish passage. Requiring culverts to pass natural stream flow will fix this problem, and help protect fish populations. The Legislature will consider rules that establish new standards for culverts.

**Ocean Energy** Over the next decade or two, Maine could become a leader in the development of deep offshore wind power projects. The Governor's Ocean Energy Task Force will introduce legislation to promote this long-term vision.

**Energy Efficiency Loans** Rep. Patsy Crockett (D-Augusta) has introduced a bill (L.D. 1717) to authorize creative financing of energy efficiency investments through an approach called Property-Assessed Clean Energy (PACE). The bill would enable local governments to raise money through a bond to fund energy efficiency and renewable energy projects for property owners. Those owners who obtain loans make energy investments that they repay over a set number of years through an assessment levied on their property tax.

**Energy Efficiency Funding** Maine continues to have the lowest per capita rate of energy efficiency investment in New England. Rep. Seth Berry (D-Bowdoinham) has introduced a bill (L.D. 1647) that would increase electricity efficiency funding by allowing Maine's Public Utilities Commission to direct the purchase of energy efficiency through long-term contracts, treating efficiency as a resource comparable to new electricity generation. When investing in efficiency is less expensive than purchasing power, the PUC should ensure that we are investing in efficiency.

**Smart Electrical Grid** Rep. Jon Hinck (D-Portland) has introduced a bill (L.D. 1535) that would encourage development of an electrical transmission system in Maine that uses information technology to curb and manage energy use.

### STOPPING BAD BILLS

An important part of NRCM's work in the Legislature is keeping a close eye out for bills that would eliminate or weaken existing laws put in place to protect Maine's environment. As the 2010 session progresses, we will again be keeping watch for any legislative activities that would undo the important environmental work that has been done in the past.



NRCM supporters Jennifer Stone and Chris Adler meet with Rep. Walter Gooley during Citizen Action Day 2009.

## Join Us for Citizen Action Day Tuesday, February 23, 2010

Please mark your calendar and plan to join us for Citizen Action Day, February 23, 2010. We'll meet at NRCM's headquarters at 3 Wade Street in Augusta, where you'll hear firsthand from our advocacy staff about this year's priority legislation and how you can make a difference to help ensure the bills become law. You'll be able to meet with others who share your values, and will have the chance to urge your elected officials to vote in favor of legislation that reflects these values. Contact Leisa Dennett to sign up or FMI at (207) 430-0111 or by emailing [ldennett@nrcm.org](mailto:ldennett@nrcm.org). Last year's Citizen Action Day packed the house. Be part of the action this year. **See you February 23!**





## Meet Jim Wellehan, Maine Businessman, Environmental Activist, and NRCM Supporter

Jim Wellehan, president of Lamey-Wellehan Shoes, can trace his appreciation for the majesty of nature back to his love of hiking as a youth. At the same time, he says, as a parent,

“You learn from your kids, from their interests, and from their questions. Our youngest wound up as a through-hiker on the [Appalachian Trail], who subsequently became a teacher with a heavy environmental concern. His students retrofitted a diesel to run on vegetable oil as one of their projects. He and his wife have chickens in the back yard, and support [Community Supported Agriculture]. All three children grew up with environmental concern, and it was always fun to take them hiking, canoeing, or skiing.”

Energy efficiency, global warming, and clean energy are issues of particular interest to Jim, his family, and his business. Like many Mainers, Jim would like to see revenue from Maine’s energy needs stay in Maine. “Wind power [and other renewable energy sources] are important steps for us to increase our economic security,” he says.

Jim’s wife, Kathy, is also active in protecting the environment. She works on recycling issues, including with Lamey-Wellehan’s effort. The company joined the Governor’s Waste Reduction Program in 1993 and continues to recycle about 95 percent of the solid waste that comes in each year. In 2003, Lamey-Wellehan joined the Governor’s Carbon Challenge, reducing its carbon emissions by more than 20 percent from 2004 to 2008. “Our recycling efforts reduced our waste disposal costs, and were as sound an economic decision as they were a sound environmental decision. We have found the same to be absolutely true with our carbon reduction efforts,” says Jim.

This past year the company ran a TV commercial on global warming during back-to-school time, focusing the message on concern for our children and grandchildren. They also involved themselves fully in the 350.org promotion, supporting Bill McKibben’s effort. “We committed to getting 350 signatures in each store on a global warming petition to our senators, and to raising 350 pairs of gently worn shoes for the homeless. This effort continues. Our communities have been very supportive,” says Jim. “We have now distributed about 5,000 pairs of shoes.”

Jim said that the newest Lamey-Wellehan store in Scarborough is their greenest store yet. From LED lights to recycled materials in carpet, low flow toilets to reused fixtures and chairs, “This should be the most energy efficient, environmentally sound and economically solid store we have opened so far. We are committed to cutting our carbon emissions, and will announce our goals on March 17th at the grand opening of the new store.”

While Jim works with national groups committed to cutting carbon emissions and improving energy efficiency, he says, “The Natural Resources Council of Maine clearly has particularly important characteristics. It focuses on Maine exclusively. As a consequence, it has great stature in the Legislature. It also has a very strong standing in the Maine business community, who recognize the many ways that their interests align very closely,” says Jim. “Involvement with NRCM is both a pleasure and a privilege. If you’re committed to Maine’s environment, you have to be committed to the Natural Resources Council of Maine.”

Jim’s advice to people who are wondering how to get involved? “It is time to let your passion loose. It’s fun, it’s working with good people, but most importantly, it’s critically necessary. Our environment is at a critical stage, and only our action will prevent environmental catastrophe. If you would like the world to be a good place for generations to come, the time for commitment is now. Get involved...now! If you don’t, tomorrow may be too late.”

--Beth Dimond, Public Affairs Coordinator

To read the full interview with Jim Wellehan, visit [www.nrcm.org](http://www.nrcm.org).



The Environmental Priorities Coalition (EPC) gathered with Maine legislators at a breakfast at the State House January 19, 2010. The event was held as a way to share with our elected officials the Coalition’s priority bills for the upcoming session. The EPC consists of 26 environmental and other groups, including NRCM.

## Become an NRCM Member Today

The Natural Resources Council of Maine is a nonprofit membership organization working statewide for clean air, healthy waters, safeguards for our people and wildlife, forest protections, and clean, renewable energy solutions. We harness the power of science, the law, and the voices of people from Maine and beyond. **When you become a member of NRCM with your gift of \$28 or more, you will receive:**

- **Maine Environment**, our informative, quarterly newsletter.
- **Our annual Legislative Priorities and Report Card** showing where Maine’s elected officials were successful—and not so successful—in taking steps to protect the Maine we know and love.
- **Updates and e-mail alerts**, if you wish, about environmental issues that may impact you, your family, and your community.
- **Opportunities to attend special events and briefings.**
- **An invitation to meet with your legislators and other citizens from your area as part of NRCM’s Citizen Action Day at the State House in Augusta.**
- **Discounts at Maine sporting camps.**
- **A colorful NRCM color decal for your car to show your love for Maine, and more.**

**Together, we are making a difference. Help us protect the nature of Maine - become a member today!**

PHOTO: DEAN BENNETT



Natural Resources Council of Maine

3 Wade Street, Augusta, Maine 04330-6317  
(800) 287-2345 • FAX (207) 622-4343

[www.nrcm.org](http://www.nrcm.org)

Editor / Allison Childs Wells  
Design / brightredbicycle design  
Contributors / Judy Berk,  
Pete Didisheim, Beth Dimond,  
Allison Childs Wells

Copyright 2010. All rights reserved.



Stay up-to-date online by becoming a Fan!  
Follow us on Twitter! Search for NRCMenvironment.

