

Beth Comeau

# MAINE Environment

## 2021 Legislative Priorities



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This year's legislative session is unlike any in history. Because of the pandemic, the Maine State House is closed. Public hearings are being conducted online via Zoom. Lawmakers have convened only a few times in person since January, at the Augusta Civic Center. And the daily buzz of conversations and information sharing that we are used to in the hallways and committee rooms is gone.

Although the legislative session started off slowly as new procedures were put into place, it gained speed in March with hearings, work sessions, and committee votes happening daily.

NRCM is tracking more than 300 bills (out of 1,689 introduced) that could affect the future of Maine's environment. This means we've got a lot of balls in the air at once.

This year we are sharply focused on bills that would help implement *Maine Won't Wait*, the Climate Action Plan adopted in December by the Maine Climate Council. Maine must implement a broad range of actions to reduce greenhouse gas emissions by at least 80 percent by 2050. To help achieve this goal, lawmakers introduced more than 120 bills this year dealing with climate and clean energy. While a few of those bills would move Maine in the wrong direction, most would make positive contributions to a clean energy future through actions such as increasing energy efficiency and weatherization, curbing greenhouse gas emissions, creating new financing options for clean energy projects, and promoting cleaner forms of transportation.

Another high priority for us is passage of a bond to invest in the Land for Maine's Future (LMF) program and Maine's State Parks. Over the past several years, legislators have failed to provide additional funding for this popular and successful program. A broad coalition of supporters agree that this is the year when an LMF and State Parks bond should be sent to the November ballot.

We also are excited about enacting legislation to require manufacturers of packaging materials to pay for the cost of recycling packaging waste. Progress on this bill came to a halt last year when the Legislature suddenly adjourned due to the pandemic. This year, Maine is one of 10 states where proposals to shift the cost of recycling packaging waste to manufacturers have been introduced. Passage of a bill in Maine would reduce waste disposal and recycling costs for taxpayers, increase recycling rates, and help spur innovations in packaging.

As of this writing, legislators are on track to defeat anti-solar legislation, a bill to cap public lands in Maine, and bills to repeal Maine's ban on single-use plastic shopping bags.

NRCM is closely coordinating our efforts with 32 organizations that participate in Maine's Environmental Priorities Coalition. We also are working in coalition with business owners, young Mainers, municipal officials, policy experts, Maine people statewide, and you—our members and supporters. You provide us with the inspiration and people power that help us win.

We greatly appreciate your help, support, and participation in our work during these challenging times. If you are interested in becoming more involved in the policy process, then please contact us. We are here to help. If you have not already done so, please join the NRCM Action Network at the Take Action page on our website ([nrcm.org](http://nrcm.org)). As a member of the Action Network, you'll receive updates about progress on legislative priorities, and learn when and how you can help make a difference. Also, please visit our Facebook page and website throughout the legislative session for further updates.

As always, thank you for your support. —Pete Didisheim, Senior Director, Advocacy



L. Hahn/NRCM

### TAKE ACTION TOOLKIT

Maine's environmental laws exist because of the work and involvement of Maine people like you. Every action can help make a difference! Because of the pandemic, all 2021 legislative hearings are being held online via Zoom webinar and streamed live on the Legislature's YouTube channel. Our Take Action Toolkit includes tips and quick videos to help you participate in the legislative process by providing easy-to-use resources.



- How to find your Maine state legislators
- Tips for contacting your elected officials
- Quick video on how to testify via Zoom
- Quick video on how to write and deliver effective testimony
- Tips on writing a letter-to-the-editor

Find our Take Action Toolkit at [www.nrcm.org/take-action/take-action-toolkit](http://www.nrcm.org/take-action/take-action-toolkit).

Coastal Maine by Beth Comeau



## Action to Address Climate Change

Lawmakers have introduced a broad range of bills to help implement portions of *Maine Won't Wait*, the Climate Action Plan finalized by the Maine Climate Council in December 2020. A \$20 million weatherization and energy-efficiency bond (discussed below) is one such bill. Others include the following:

**Improve Appliance Energy Standards:** Rep. Bill Pluecker (D-Warren) has introduced a bill (LD 940) that would reduce energy costs by requiring that a broad range of appliances meet strict efficiency standards to be sold in Maine.

**Limit Climate Pollutants:** Rep. Ralph Tucker (D-Brunswick) has introduced a bill (LD 226) to prohibit the use of hydrofluorocarbons in products such as air conditioning and refrigeration because of the high global warming impacts of such gases.

**Finance Clean Energy:** Sen. Heather Sanborn (D-Cumberland) has introduced a bill (LD 340) that would help businesses reduce energy costs by allowing them to finance energy efficiency and renewable energy projects through property assessments, if allowed through local municipal ordinances adopted by participating communities. More than 30 states have adopted legislation like LD 340.

**Increase Energy Storage:** Sen. Eloise Vitelli (D-Sagadahoc) has introduced a bill (LD 528) that would establish a state goal for energy storage deployment and direct the Public Utilities Commission (PUC) to evaluate ways to integrate energy storage into our grid.

**Require PUC to Address Climate:** Rep. Vicki Doudera (D-Camden) has introduced a bill that requires the PUC to help the state reduce greenhouse gas emissions as one of its primary responsibilities.



## Improving Recycling in Maine

Municipalities and taxpayers currently bear the full cost of managing waste and recycling programs in Maine. Although Mainers want to do the right thing and recycle as much as possible, municipalities are facing tough financial decisions about whether to continue to support their local recycling programs. Markets for recyclable materials are generating less revenue, and towns face an ever-growing volume of packaging waste from e-commerce that they have no control over and which has exploded during the pandemic.

Many countries around the world have adopted a solution to this problem. They have enacted Extended Producer Responsibility (EPR) for Packaging laws that require large corporations such as Amazon, Proctor & Gamble, and Walmart to help finance recycling programs. EPR programs shift the financial burden of recycling packaging from taxpayers to the producers, who would reimburse Maine municipalities for the costs of recycling the materials they create.

These large companies should help finance effective recycling programs in Maine, like they already do in five Canadian provinces, the European Union, and in many other countries. EPR for packaging can reduce taxpayer costs, increase recycling rates, and help Mainers retain access to recycling programs through market fluctuations in recyclable commodity prices.

Rep. Nicole Grohoski (D-Ellsworth) has introduced a bill (not yet printed) to create an EPR for Packaging program in Maine. The Environment and Natural Resources Committee will hold a public hearing and work sessions on the bill this spring. The Maine Municipal Association supports the bill, and it is a top priority for the Maine Environmental Priorities Coalition.



## Weatherization for Seniors, Low-Income Households, and Towns

Approximately one-third of Maine's carbon pollution comes from heating, cooling, and lighting our buildings. In addition to contributing to climate change, Maine's older and energy-inefficient buildings result in avoidable costs for families, towns, and schools. Low-income residents, especially low-income rural residents, often shoulder a higher energy burden and pay a much higher percentage of their incomes to meet home energy needs.

To help lower energy costs, Sen. Matt Pouliot (R-Kennebec) has introduced a bill (LD 1094) that would provide a \$20 million bond to reduce energy costs for senior citizens, low-income residents, Maine towns and cities, and schools through weatherization and energy efficiency investments.

Energy efficiency and weatherization investments are proven tools to decrease carbon pollution and save money on utility bills. It is estimated that this \$20 million weatherization bond will create \$45 million in lifetime energy savings for Maine people.

The bill would provide \$10 million in funding for seniors and low-income residents, resulting in an average savings of \$300 each year for as many as 1,500 homes. These projects would eliminate approximately 200,000 gallons of heating fuel a year and reduce approximately 105 million pounds of carbon pollution.

The bill would provide \$10 million in funding for Maine schools and municipalities, resulting in \$33.5 million in lifetime energy savings. Overall, this \$20 million bond would support 186 jobs, weatherize homes and buildings across Maine, and substantially reduce carbon emissions. If passed by the Legislature, the measure would be sent to the November ballot to be considered by Maine voters.



Kennebec Highlands by Barbara Heap

## Investing in Land Conservation and State Parks

The time has arrived to get land conservation in Maine back on track. Now more than ever, Maine people have shown how much they love our protected lands, which provide opportunities for inspiration, outdoor recreation, water access, and wildlife watching. A record-setting three million people visited Maine State Parks in 2020, yet our parks face a \$50 million backlog in needed investments.

Land conservation helps Maine's farming, fishing, and forestry sectors, through conservation easements and working waterfront protection, but the highly popular Land for Maine's Future (LMF) program has not received any new funding since 2012—and it is out of money.

Sen. Cathy Breen (D-Cumberland) has introduced a bill (LD 983) to provide \$60 million over five years for LMF and \$20 million for State Parks. Rep. Pat Corey (R-Windham) has proposed a bill (LD 687) that would provide \$30 million over three years for LMF and \$5 million for State Parks.

The Climate Action Plan calls for increasing land conservation as a mitigation measure that contributes to the capture of carbon and protects wildlife corridors. Governor Mills also is expected to propose a bond supporting LMF and State Parks.

If an LMF and State Parks bond is passed by the Legislature, it would appear on the November 2021 ballot. Mainers have consistently voted by strong margins for LMF bonds in the past, so we are confident that they would do so again if given the chance.



## Stop Out-of-State Trash from Piling Up in Maine

Maine has become a dumping ground for waste that is being hauled here from other New England states. This year we hope to put an end to this practice.

A legal loophole in Maine’s waste management laws has allowed for significant landfilling of out-of-state waste in Maine’s State-owned landfills, which are intended to be reserved for waste generated in Maine. The loophole classifies waste as “in-state” once it enters a solid waste processing facility—no matter where it originated, including from other states.

After Massachusetts and other nearby states strengthened their waste management laws, waste haulers dramatically increased the volume of materials—including toxic construction and demolition debris—they shipped to Maine for disposal. Every year, hundreds of thousands of tons of waste are imported from surrounding states and disposed of in Maine, leading to landfill expansions and increased pollution.

This is an issue of environmental justice. Because of this loophole, the State-owned Juniper Ridge Landfill (JRL) has become a dumping ground for toxic waste, threatening sites of historical, cultural, and spiritual significance for the Penobscot Indian Nation, the Penobscot River and Bay, and the drinking water for the area. People living near JRL have not only been disproportionately impacted by the waste facility, but also are systematically excluded from the decision-making process for landfill expansion permits and bills aimed at addressing their concerns.

Sen. Anne Carney (D-Portland) has introduced a bill to close the loophole in Maine law that is allowing other states to fill up our landfills with waste that they don’t want to manage within their own borders.



## Defeating the Central Maine Power Corridor

Maine still has an opportunity to defeat the Central Maine Power (CMP) corridor proposal that would deliver electricity from Hydro-Quebec across Maine to Massachusetts. Public opinion polls show that Maine people continue to overwhelmingly oppose the project, which would include a 53-mile-long new corridor through Western Maine forestlands and brook trout habitat.

NRCM has appealed permits for the project, and we hope our appeals prevail in the courts. Maine people also are working to terminate the project through a referendum vote this fall. The Maine Secretary of State recently certified that citizens have gathered enough signatures from registered Maine voters to place a referendum on the November ballot that likely would halt the project.

This measure will first be considered by the Legislature, which can adopt the bill, develop a competing measure that would appear on the ballot alongside the question, or simply send the measure to the voters. Following a public hearing by the Energy, Utilities and Technology Committee, the most likely scenario is that lawmakers will send the measure to the voters.

This citizen-run campaign would provide Maine people the opportunity that many have been waiting for to cast a vote to defeat the CMP corridor. If the measure passes in November, then high-impact transmission lines, like the CMP corridor, could only proceed if they secure the support of two-thirds of the Legislature. The measure also requires a two-thirds vote of the Legislature for any use of public lands for transmission line projects and would be retroactive to any high-impact transmission line for which construction commenced as of September 16, 2020.

## Our Experts Are Working for You on Maine’s Environmental Legislation

Our knowledge of the issues you care about runs deep and far. Right now, our team of advocacy experts is working hard for you at the Maine Legislature and beyond. Learn more about our team at [nrcm.org](http://nrcm.org).



**Nick Bennett**  
Staff Scientist and  
Healthy Waters Director



**David Costello**  
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**Sarah Nichols**  
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**Melanie Sturm**  
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**If you can, please support our work with a donation. You may find an envelope enclosed, or you can give online. Thank you!**

# Other Important Issues

NRCM staff members are tracking hundreds of bills this session. Below are a few additional ones we're following closely.



NRCM

### Manage the Growth of Solar Power

Rep. Seth Berry (D-Bowdoinham) has introduced a bill (LD 709) to place a temporary pause on the net-metering incentive program on some community solar projects to allow a stakeholder process to

evaluate the program. The solar laws passed in Maine in 2019 have been enormously successful, resulting in thousands of megawatts of proposed solar energy projects statewide—amounting to hundreds of millions of dollars in investment and support for hundreds of jobs. We support a short pause to ensure that our incentive programs maximize the benefits of solar in the most cost-effective way possible.



Deboullie by Noah Oppenheim

### Protect Public Lands

Sen. Russell Black (R-Franklin) has introduced a bill (LD 471) that reasserts the requirement in Maine law and the Maine Constitution that the State cannot sign a lease for a transmission line, such as the CMP corridor, to cross public lands without approval

of two-thirds of the House and Senate. The bill is retroactive to September 2014, when the LePage Administration signed an illegal lease with CMP.

**Ban Aerial Spraying of Herbicides** Sen. Troy Jackson (D-Aroostook) has proposed a bill to ban aerial spraying of herbicides for forestry operations. The lead chemical used for these purposes, glyphosate, has been deemed “probably carcinogenic to humans” by the World Health Organization.

**Ban Foreign Influence in Campaigns** Sen. Rick Bennett (R-Oxford) has introduced a bill to ban foreign government-owned corporations from meddling in Maine’s elections. A loophole in Maine law currently allows companies like Hydro-Quebec, solely owned by the Province of Quebec, to spend unlimited funds to tell Mainers how to vote. Hydro-Quebec has spent \$10 million in Maine since 2019 in support of the CMP corridor.

**Defeat Bad Bills** NRCM also has been working to defeat bills that curb solar energy development in Maine (LD 249 and 583), rescind the ban on single-use plastic shopping bags (LDs 39, 108, 244), limit public land conservation (LD 324), and ban all offshore wind power (LD 101).

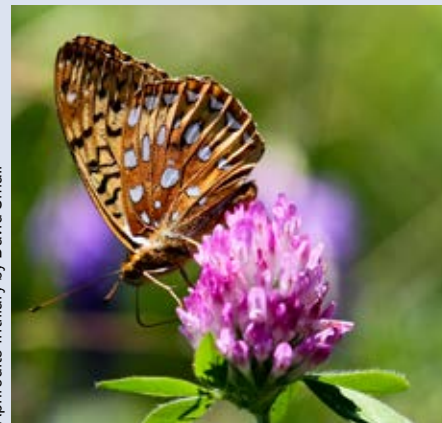
**Racial Impact Statements** We are pleased that the Legislature passed and the governor signed into law a bill (LD 2), introduced by Rep. Talbot Ross (D-Portland), that will enable legislative committees to request impact statements. These statements will assess the potential impact that the legislation could have on historically disadvantaged racial populations.

**Tribal Sovereignty** Rep. Jeff Evangelos (I-Friendship) is introducing a bill to implement the recommendations of the 2019 Task Force on Changes to the Maine Indian Claims Settlement Implementing Act. This bill recognizes the inherent sovereignty rights of Maine’s tribes as a step to recognizing and beginning to heal harm inflicted by European settlers and the State of Maine on the Wabanaki tribes that have lived here for up to 16,000 years.

**Address “Forever Chemicals”** Several bills have been introduced this year to address issues associated with so-called “forever chemicals,” toxic PFAS (per- and polyfluoroalkyl substances) that pose significant health risks, particularly for children and pregnant women. Bills would strengthen the state drinking water standard (LD 164), extend the time for pursuing legal remedies (LD 363), and support alternative farming practices to remediate PFAS-contaminated soils (LD 558), among other purposes.

**Expand Ecological Reserves** Rep. Nicole Grohoski (D-Ellsworth) has introduced a bill (LD 736) to evaluate opportunities to enhance Maine’s system of ecological reserves. Initially created by the Legislature in 2000, Maine currently has 17 ecological reserves, totaling about 90,000 acres, which help conserve Maine’s biological diversity and wildlife habitat.

**Reduce Plastic Pollution from Balloons** Rep. Lydia Blume (D-York) and Rep. Genevieve McDonald (D-Stonington) have introduced bills (LD 618 and LD 1023) to reduce plastic pollution caused by the intentional release of balloons outdoors.



Aphrodite fritillary by David Small

### Protecting Pollinators from Pesticides

Rep. Nicole Grohoski (D-Ellsworth) introduced a bill (LD 155) to prohibit the use of certain neonicotinoids pesticides (“neonics”) that scientists believe are among the contributing factors for large die-offs of honeybees and other pollinators. The bill would ban outdoor residential use of neonics.

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