

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

CHAPTER 620
S.P. 905 - L.D. 2221

**An Act to Amend the
Composition of the
Landowners and Land Users
Relations Advisory Board**

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

Sec. 1. 12 MRSA §10157, sub-§1-A, as amended by PL 2023, c. 405, Pt. A, §28, is further amended to read:

1-A. Appointment and composition. The Landowners and Land Users Relations Advisory Board, referred to in this chapter as "the advisory board" and established by Title 5, section 12004-I, subsection 49-C, consists of the following 18 members:

A. ~~Eleven~~ Thirteen voting members, appointed by the Commissioner of Inland Fisheries and Wildlife:

- (1) One representative of a statewide small woodland owners association;
- (2) One representative of a large landowners association;
- (3) One representative of a statewide farmers organization;
- (4) Three representatives who hunt, fish or trap;
- (5) ~~Two~~ Three representatives of outdoor recreationists, including one representative of an all-terrain vehicle club, one representative of a snowmobile club and one representative of a nonmotorized recreation industry with a focus on hiking, wildlife watching, biking, paddling, trail running or other popular outdoor pursuits;
- (6) Two representatives of environmentalist organizations; ~~and~~
- (7) One representative of land trust organizations; and
- (8) One representative of an organization managing recreational access to the North Maine Woods; and

B. Five nonvoting members:

- (1) Two representatives of the Bureau of Warden Service, designated by the Commissioner of Inland Fisheries and Wildlife;
- (2) One representative of the Department of Economic and Community Development, designated by the Commissioner of Economic and Community Development; and

(3) Two representatives of the Department of Agriculture, Conservation and Forestry, designated by the Commissioner of Agriculture, Conservation and Forestry.

See title page for effective date.

CHAPTER 621
H.P. 1504 - L.D. 2227

**An Act to Update Financial
Assurance Requirements for
Certain Solid Waste Facilities**

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

Sec. 1. 38 MRSA §1310-Y, as amended by PL 2023, c. 517, §§7 and 8, is further amended to read:

§1310-Y. Financial assurance

An owner or operator of a solid waste processing facility that processes plastic waste through chemical plastic processing that is licensed under section 1310-N or of a solid waste disposal facility that is licensed under section 1310-N shall provide the department assurance of its financial ability to satisfy the estimated cost of corrective action for known releases from the facility and its financial capacity to satisfy the estimated cost of closure and postclosure care and maintenance at the facility for a period of at least 30 years after closure. The board may adopt rules that increase or decrease that postclosure care period, as long as those rules are consistent with applicable federal rules. The department may consider the use of more than one acceptable form of financial assurance per facility to satisfy the financial assurance requirement of this section. This section applies to all privately owned solid waste disposal facilities licensed by the department, including facilities licensed by the department before June 16, 1993, and to all solid waste processing facilities that process plastic waste through chemical plastic processing. This section does not apply to a municipally owned or operated solid waste disposal facility that accepts exclusively special waste, construction and demolition debris, land-clearing debris or any combination of those types of waste or to a municipally owned or operated solid waste disposal facility licensed before June 16, 1993.

1. Acceptable forms of financial assurance. Acceptable forms of financial assurance ~~are under this section~~ must include at least one of the following:

- A. A letter of credit;
- B. A surety bond;
- C. An escrow account;
- D. A reserve account calculated in a manner consistent with the United States Internal Revenue Code;

E. An irrevocable trust account; ~~or~~

~~F. In the case of a municipal solid waste disposal facility, any of the allowable financial assurance mechanisms set forth in applicable federal rules.~~

G. A corporate financial test that satisfies the requirements of 40 Code of Federal Regulations, Section 258.74(e);

H. A local government financial test that satisfies the requirements of 40 Code of Federal Regulations, Section 258.74(f);

I. A corporate guarantee that satisfies the requirements of 40 Code of Federal Regulations, Section 258.74(g); or

J. A local government guarantee that satisfies the requirements of 40 Code of Federal Regulations, Section 258.74(h).

~~1-A. Substitute requirements.~~ The department may substitute part of the acceptable forms of financial assurance under subsection 1 with one or more of the following requirements:

~~A. A current rating for its senior unsubordinated debt of AAA, AA, A or BBB as issued by Standard and Poor's Corporation or Aaa, Aa, A or Baa as issued by Moody's Investors Services, Inc.;~~

~~B. A ratio of less than 1.5 comparing total liabilities to net worth; or~~

~~C. A ratio of greater than 0.10 comparing the sum of net income plus depreciation, depletion and amortization, minus \$10,000,000, to total liabilities.~~

1-B. Review of financial assurance. A licensee subject to the requirements of this section shall annually review and, as necessary and in accordance with department rule, update its financial assurance mechanisms under this section. The department may require an applicant or licensee subject to the requirements of this section to conduct and submit to the department an independent 3rd-party financial review of any proposed form of financial assurance.

2. Report. An owner or operator of a solid waste processing facility that processes plastic waste through chemical plastic processing or of a solid waste disposal facility shall annually prepare a report containing a sworn statement providing the year-end balance or value of any ~~escrow, trust or reserve account form of financial assurance~~ established under this section. That report must be submitted to the commissioner by March

31st of each year or such other date as the commissioner may designate.

See title page for effective date.

CHAPTER 622

H.P. 67 - L.D. 102

An Act to Notify the Public of Juveniles That Have Escaped a Department of Corrections Facility and to Direct the Department of Corrections to Study the Further Release of Juvenile Intelligence and Investigative Record Information

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

Sec. 1. 15 MRSA §3308-A, sub-§4-A is enacted to read:

4-A. Limited dissemination; escaped juveniles. Notwithstanding any provision of this Part or in Title 34-A, section 1216 to the contrary, when a juvenile has escaped from a Department of Corrections facility and there is probable cause to believe that the juvenile presents a serious risk to the juvenile's own safety or to public safety, the Commissioner of Corrections or the commissioner's designee may publicly disclose the following information for the purpose of identifying and apprehending the juvenile:

A. The juvenile's physical description;

B. A photograph of the juvenile;

C. Any recent location of the juvenile;

D. Any likely location of the juvenile;

E. The fact that the Department of Corrections is searching for the juvenile; and

F. Instructions for the public not to approach the juvenile, but to report any sightings or relevant information to a criminal justice agency.

Sec. 2. Department of Corrections to convene working group. The Department of Corrections shall convene a working group to examine best practices for apprehending a juvenile for whom a warrant of arrest has been issued, a juvenile who has escaped from arrest or a juvenile who has escaped from arrest during transport following arrest.

1. The working group's examination shall determine what juvenile intelligence and investigative record information, if any, should be made public to assist in the apprehension of wanted or escaped juveniles. In making this determination, the working group shall