

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

2 or in rules applicable to local health officers adopted by the department. An associate health officer must work under the direct supervision of the local health officer.

Sec. 3. 22 MRSA §454-A, sub-§2, ¶G, as enacted by PL 2007, c. 598, §7, is amended to read:

G. Act as a resource for connecting residents with the public health services and resources provided by the Maine Center for Disease Control and Prevention; ~~and~~

Sec. 4. 22 MRSA §454-A, sub-§2, ¶H, as enacted by PL 2007, c. 598, §7, is amended by amending subparagraph (5) to read:

(5) Laws pertaining to prohibited dumping under Title 30-A, section 3352-; and

Sec. 5. 22 MRSA §454-A, sub-§2, ¶I is enacted to read:

I. Supervise associate health officers appointed under section 451, subsection 7.

See title page for effective date.

CHAPTER 47

H.P. 405 - L.D. 628

An Act to Designate Maine Irish Heritage Day

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

Sec. 1. 1 MRSA §150-S is enacted to read:

§150-S. Maine Irish Heritage Day

March 17th of each year is designated as Maine Irish Heritage Day in recognition of the contribution of Irish immigrants to the State and their descendants, and the Governor shall issue annually a proclamation inviting and urging the people of the State to observe this day in suitable places with appropriate activity.

See title page for effective date.

CHAPTER 48

S.P. 73 - L.D. 134

An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State's successful beverage container redemption program protects public health and safety by preventing litter from polluting water sources and spreading disease and by reducing air and water contamination caused by the burning of containers in a waste-to-energy facility or the disposal of containers in a landfill; and

Whereas, Maine residents rely on beverage container redemption centers as a convenient option for redeeming container refunds, which many residents use to support their household budgets; and

Whereas, redemption centers are struggling to address increased system costs due to inflation and other factors, which have forced many redemption centers to reduce hours or close, while at the same time, recent increased demands for redemption services are overwhelming redemption centers still in operation; and

Whereas, necessary operational changes to streamline the beverage container redemption program cannot be implemented in sufficient time to address the current cost and demand issues overwhelming redemption centers now and in the near future; and

Whereas, an immediate increase in the handling fee paid by initiators of deposit to redemption centers and an additional future increase in that fee, as provided in this legislation, are necessary to prevent further redemption center closures; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 38 MRSA §3106, sub-§7, as amended by PL 2019, c. 526, §7, is further amended to read:

7. Reimbursement of handling costs. Reimbursement of handling costs is governed by this subsection.

A. In addition to the payment of the refund value, the initiator of the deposit under section 3103, subsections 1, 2 and 4 shall reimburse the dealer or redemption center for the cost of handling beverage containers subject to section 3103, in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004, at least 3 1/2¢ for containers picked up on or after March 1, 2004 and before March 1, 2010, at least 4¢ for containers picked up on or after March 1, 2010 and before January 1, 2020 ~~and~~, at least 4 1/2¢ for containers picked up on or after January 1, 2020 and before May 1, 2023, at least 5 1/2¢ for containers picked up on or after May 1, 2023 and before September 1, 2023 and at least 6¢ for containers picked up on or after September 1, 2023.

The initiator of the deposit may reimburse the dealer or redemption center directly or indirectly through a party with which it has entered into a commingling agreement.

B. In addition to the payment of the refund value, the initiator of the deposit under section 3103, subsection 3 shall reimburse the dealer or redemption center for the cost of handling beverage containers subject to section 3103 in an amount that equals at least 3¢ per returned container for containers picked up by the initiator before March 1, 2004, at least 3 1/2¢ for containers picked up on or after March 1, 2004 and before March 1, 2010, at least 4¢ for containers picked up on or after March 1, 2010 and before January 1, 2020 ~~and~~, at least 4 1/2¢ for containers picked up on or after January 1, 2020 and before May 1, 2023, at least 5 1/2¢ for containers picked up on or after May 1, 2023 and before September 1, 2023 and at least 6¢ for containers picked up on or after September 1, 2023. The initiator of the deposit may reimburse the dealer or redemption center directly or indirectly through a contracted agent or through a party with which it has entered into a commingling agreement.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Alcoholic Beverages - General Operation 0015

Initiative: Provides allocations for the State’s cost as an initiator of deposit for spirits for an increase in the reimbursement rate paid to a dealer or local redemption center of 1¢ per returned beverage container beginning May 1, 2023 and another 1/2¢ beginning September 1, 2023.

STATE ALCOHOLIC BEVERAGE FUND	2022-23	2023-24	2024-25
All Other	\$52,959	\$450,155	\$514,766
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$52,959	\$450,155	\$514,766

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 5, 2023.

**CHAPTER 49
S.P. 93 - L.D. 189**

An Act to Include an Expanded Archery Permit in the Super Pack License Issued by the Department of Inland Fisheries and Wildlife

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

Sec. 1. 12 MRSA §11109-A, sub-§3, as amended by PL 2021, c. 599, §9, is further amended to read:

3. Harvest of ~~5~~ 6 deer. Notwithstanding section 11501, a super pack license authorizes the holder to take:

A. One deer during either the regular open firearm season or the regular archery season or the special muzzle-loading season in accordance with sections 11401, 11403 and 11404, respectively;

B. One deer in accordance with subsection 2-A, paragraph A; and

C. Three antlerless deer and one deer of either sex during the special archery season in accordance with section 11402, subsection 4.

Sec. 2. 12 MRSA §11109-A, sub-§5, as amended by PL 2015, c. 245, §5, is further amended to read:

5. Fee. The fee for a super pack license is ~~\$201~~ \$207 for residents and ~~\$476~~ \$182 for a person holding 2 or more lifetime licenses.

Sec. 3. Effective date. This Act takes effect January 1, 2024.

Effective January 1, 2024.

**CHAPTER 50
H.P. 165 - L.D. 260**

An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until