

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

(1) To provide access to the property to the commissioner and the commissioner's authorized representatives;

(2) To allow the commissioner or the commissioner's authorized representatives to undertake activities at the property including placement of borings, wells, equipment and structures on the property; or

(3) To the extent the person has title to the property, to grant easements or other interests in the property to the department for any of the purposes provided in subparagraph (1) or (2). An agreement to grant an easement or other interest under this subparagraph must apply to and be binding upon the successors and assigns of the owner. To the extent the person has title to the property, the person shall record the agreement or a memorandum approved by the commissioner that summarizes the agreement in the registry of deeds for the county where the property is located.

See title page for effective date.

CHAPTER 511

H.P. 1415 - L.D. 2208

An Act Removing the Lobster Advisory Council from the State Government Evaluation Act Review Requirements

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

Sec. 1. 3 MRSA §959, sub-§1, ¶K, as amended by PL 2021, c. 617, §1, is further amended to read:

K. The joint standing committee of the Legislature having jurisdiction over marine resources matters shall use the following list as a guideline for scheduling reviews:

- (1) Atlantic States Marine Fisheries Commission in 2029; and
- (2) Department of Marine Resources in 2029; and
- ~~(4) Lobster Advisory Council in 2023.~~

See title page for effective date.

CHAPTER 512
S.P. 362 - L.D. 865

An Act to Clarify the Roles and Responsibilities of the Board of Environmental Protection

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

Sec. 1. 38 MRSA §341-D, sub-§2, as amended by PL 2011, c. 304, Pt. H, §6, is further amended to read:

2. Permit and license applications. Except as otherwise provided in this subsection, the board shall ~~decide~~ assume jurisdiction of each application for approval of the following categories of permits and licenses ~~that in its judgment represents a project of statewide significance. A project of statewide significance is a project that meets at least 3 of the following 4 criteria:~~

~~E. Will have an environmental or economic impact in more than one municipality, territory or county;~~

~~F. Involves an activity not previously permitted or licensed in the State;~~

~~G. Is likely to come under significant public scrutiny; and~~

~~H. Is located in more than one municipality, territory or county.~~

I. A new mining permit required pursuant to section 490-OO;

J. A license for a new solid waste disposal facility required pursuant to section 1310-N;

K. A permit for a new high-impact electric transmission line, as defined in Title 35-A, section 3131, subsection 4-A, required pursuant to chapter 3, subchapter 1, article 6;

L. A license for a new wastewater discharge required pursuant to section 413 that, as determined by the department, is expected to use more than 20% of the assimilative capacity of the receiving water;

M. A permit for a new offshore wind terminal required pursuant to chapter 3, subchapter 1, article 6; and

N. A permit for a new nuclear power plant, as defined in Title 35-A, section 4352, subsection 9, required pursuant to chapter 3, subchapter 1, article 6.

The board shall also ~~decide~~ assume jurisdiction of each application for approval of permits and licenses that is referred to it jointly by the commissioner and the applicant.