

# 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.**

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**Augusta, Maine**  
**2024**

**CHAPTER 586  
H.P. 1348 - L.D. 2124**

**An Act to Clarify the Eligibility  
of an Off-track Betting Facility  
to Receive Funding**

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

**Sec. 1. 8 MRSA §300, sub-§1**, as amended by PL 2007, c. 539, Pt. G, §12 and affected by §15, is further amended to read:

**1. Fund created.** The Fund to Stabilize Off-track Betting Facilities is established to provide revenues to those off-track betting facilities licensed and in operation ~~as of December 31, 2003~~ in the State. The fund is a dedicated, nonlapsing fund. All revenues deposited in the fund remain in the fund and must be disbursed in accordance with this section, except that assessments and advances may be withdrawn in accordance with section 267-A.

**Sec. 2. 8 MRSA §300, sub-§2**, as enacted by PL 2003, c. 687, Pt. A, §4 and affected by §11, is amended to read:

**2. Distribution.** On May 30th, September 30th and January 30th, all amounts credited to the fund established by this section as of the last day of the preceding month and not distributed before that day must be distributed to each of ~~Maine's the State's~~ the State's off-track betting facilities licensed and in operation as of ~~December 31, 2003~~ the date of the distribution. Distributions must be made in equal amounts to each off-track betting facility in operation as of the date of the distribution.

See title page for effective date.

**CHAPTER 587  
H.P. 1380 - L.D. 2156**

**An Act to Authorize the  
Provision of Emergency  
Medical Treatment for Certain  
Dogs**

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

**Sec. 1. 32 MRSA §85, sub-§9** is enacted to read:

**9. Dogs.** Notwithstanding section 4860, an emergency medical services person licensed under this chapter may provide emergency medical treatment to a law enforcement dog, as defined in Title 14, section 164-B, paragraph B, or to a search and rescue dog, as defined in Title 14, section 164-B, paragraph D, in

accordance with protocols adopted by the Medical Direction and Practices Board.

**Sec. 2. 32 MRSA §88-B, sub-§1, ¶A**, as enacted by PL 2019, c. 617, Pt. C, §3, is amended to read:

A. The Medical Direction and Practices Board shall create, adopt and maintain the Maine Emergency Medical Services protocols. When adopting or amending any protocols related to providing emergency medical treatment pursuant to section 85, subsection 9, the Medical Direction and Practices Board shall consult with an individual with expertise in emergency veterinary medicine designated by the State Board of Veterinary Medicine.

See title page for effective date.

**CHAPTER 588  
S.P. 855 - L.D. 2027**

**An Act Regarding the Property  
Tax Exemption, Business  
Equipment Tax Exemption and  
Business Equipment Tax  
Reimbursement for Facilities  
Storing Spent Nuclear Fuel and  
Radioactive Waste**

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

**Whereas**, there is currently ambiguity in the law establishing exemptions from property taxation for air pollution control facilities; and

**Whereas**, without this legislation clarifying the law, an affected municipality could soon suffer a large loss of revenue; 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. 36 MRSA §656, sub-§1, ¶E**, as amended by PL 2007, c. 438, §20, is further amended by amending subparagraph (1) in the first blocked paragraph to read:

As used in this ~~paragraph~~ subparagraph, unless the context otherwise indicates, the following terms have the following meanings.

(a) "Facility" means any disposal system or any treatment works, appliance, equipment, machinery, installation or structures installed, acquired or placed in operation primarily for the purpose of reducing, controlling or eliminating water pollution caused by industrial, commercial or domestic waste.

(b) "Disposal system" means any system used primarily for disposing of or isolating industrial, commercial or domestic waste and includes thickeners, incinerators, pipelines or conduits, pumping stations, force mains and all other constructions, devices, appurtenances and facilities used for collecting or conducting water borne industrial, commercial or domestic waste to a point of disposal, treatment or isolation, except that which is necessary to the manufacture of products.

(c) "Industrial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any process, or the development of any process, of industry or manufacture.

(d) "Treatment works" means any plant, pumping station, reservoir or other works used primarily for the purpose of treating, stabilizing, isolating or holding industrial, commercial or domestic waste.

(e) "Commercial waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily commercial in nature.

(f) "Domestic waste" means any liquid, gaseous or solid waste substance capable of polluting the waters of the State and resulting from any activity which is primarily domestic in nature.

**Sec. 2. 36 MRSA §656, sub-§1, ¶E**, as amended by PL 2007, c. 438, §20, is further amended in subparagraph (2) by enacting at the end a new last blocked paragraph to read:

For the purposes of this subparagraph, emissions from and particles of spent nuclear fuel, as defined in Title 22, section 673, subsection 18, and radioactive waste classified by the United States Nuclear Regulatory Commission as greater-than-Class C waste are not air pollution and facilities for storing spent nuclear fuel or radioactive waste classified by the United States Nuclear Regulatory Commission as greater-than-Class C waste are not air pollution control facilities.

**Sec. 3. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2019, c. 659, Pt. B, §1, is further amended by amending subparagraph (7) to read:

(7) Property that is not entitled to an exemption by reason of the additional limitations imposed by subsection 2; ~~or~~

**Sec. 4. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2019, c. 659, Pt. B, §1, is further amended by amending subparagraph (8) to read:

(8) Personal property that would otherwise be entitled to exemption under this subchapter used primarily to support a tele-communications antenna used by a tele-communications business subject to the tax imposed by section 457-; or

**Sec. 5. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2019, c. 659, Pt. B, §1, is further amended by enacting subparagraph (9) to read:

(9) A facility that stores spent nuclear fuel, as defined in Title 22, section 673, subsection 18, or radioactive waste classified by the United States Nuclear Regulatory Commission as greater-than-Class C waste.

**Sec. 6. 36 MRSA §6652, sub-§1-E** is enacted to read:

**1-E. Facilities for storage of spent nuclear fuel, radioactive waste.** Reimbursement under this chapter may not be made for a facility that stores spent nuclear fuel, as defined in Title 22, section 673, subsection 18, or radioactive waste classified by the United States Nuclear Regulatory Commission as greater-than-Class C waste.

**Sec. 7. Retroactive application.** Notwithstanding the Maine Revised Statutes, Title 1, section 302, this Act applies retroactively to property tax years beginning on or after April 1, 2022.

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

Effective April 2, 2024.

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**CHAPTER 589**

**H.P. 193 - L.D. 295**

**An Act to Incentivize Accurate  
Recyclability Labeling on  
Packaging Material**

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

**Sec. 1. 38 MRSA §2146, sub-§13, ¶A**, as enacted by PL 2021, c. 455, §2, is amended by amending subparagraph (1), division (c) to read: