

# 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**

~~B. A retailer in the State unless the retailer sells, offers for sale or distributes for sale in the State a product for which the retailer has received a notification pursuant to subsection 8, paragraph B that the sale of the product is prohibited;~~

~~C. A manufacturer exempted from the notification requirement pursuant to subsection 2, paragraph D;~~

~~D. A product for which the department has waived the notification requirement pursuant to subsection 3; and~~

~~E. A manufacturer that pursuant to subsection 3 has received from the department an extension of the deadline for submission of the information required by subsection 2. The exception under this paragraph applies only for the duration of the extension provided by the department.~~

**8. Certificate of compliance.** If the department has reason to believe that a product contains intentionally added PFAS and is being sold, offered for sale or distributed for sale in violation of subsection 5 or 7, the department may direct the manufacturer of the product to, within 30 days:

A. Provide the department with ~~the a~~ certificate attesting that the product does not contain intentionally added PFAS; or

B. Notify persons ~~who sell~~ that sell, offer for sale or distribute for sale the product in this State that the sale of ~~that~~ the product is prohibited in this State and provide the department with a list of the names and addresses of those persons notified.

**9. PFAS source reduction program.** To the extent funds are available and in consultation with relevant stakeholders, the department shall develop and implement a program to reduce the presence of PFAS in discharges to air, water and land by encouraging the use of ~~safer~~ alternatives to and the proper management of materials containing PFAS. The program may include:

A. Information resources targeted to industrial or commercial users of PFAS;

B. Education of the general public;

C. To the extent funds are available, grants to operators of publicly owned treatment works for the purposes of developing, expanding or implementing pretreatment standards for PFAS and education of users on sources of PFAS and proper management;

D. To the extent funds are available, grants to municipalities for the purposes of educating solid waste disposal users on sources of PFAS and proper management; and

E. Other efforts determined by the department to be prudent to achieve the program's purpose.

**10. Rules.** The department shall adopt rules to implement this section. Except as provided in subsection 5, paragraph C, rules adopted to implement this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**11. Report.** By January 1, 2026, and biennially thereafter, the department shall submit to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters a report regarding the implementation of this section and other state and federal laws governing the presence of PFAS in products, including any recommendations for necessary legislative changes to this section. After reviewing the report, the committee may report out legislation relating to the report.

**12. Proprietary information.** Proprietary information submitted to the department by a manufacturer pursuant to the requirements of this section that is identified by the manufacturer as proprietary information is confidential and must be handled by the department in the same manner as confidential information is handled under section 1310-B.

**Sec. 2. Department of Environmental Protection; report.** The Department of Environmental Protection shall evaluate the feasibility of and develop recommendations as appropriate regarding the implementation of one or more product stewardship programs for any of the products containing intentionally added PFAS that are identified in the Maine Revised Statutes, Title 38, section 1614, subsection 4, paragraphs H to L or subsection 5, paragraph E, subparagraphs (1) and (2). The department shall include its findings and any recommendations from that evaluation in the report required by Title 38, section 1614, subsection 11 and due January 1, 2026 to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters.

See title page for effective date.

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**CHAPTER 631**

**S.P. 729 - L.D. 1804**

**An Act to Improve the Reporting Process for Certain Tax Expenditure Programs**

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

**Sec. 1. 30-A MRSA §5250-P, sub-§1, ¶C,** as enacted by PL 2017, c. 440, §5, is amended to read:

C. On or before June 1st annually, beginning in 2019 ~~and through 2024, and on or before March 1st annually thereafter,~~ the commissioner shall report to the joint standing committees of the Legislature

having jurisdiction over taxation matters and economic development matters information on qualified Pine Tree Development Zone businesses, including, but not limited to:

- (1) The ~~names~~ name, municipality in this State in which the business's primary place of business is located and business type, including the parent company of the business, if applicable, of each qualified Pine Tree Development Zone ~~businesses~~ business for the report year;
- (2) The estimated or total aggregate amount of Pine Tree Development Zone benefits received by qualified Pine Tree Development Zone businesses in the report year; and
- (3) Aggregate information for each of the most recent 3 report years on:
  - (a) Employment levels for all Maine employees and for qualified Pine Tree Development Zone employees and associated salary and wages for both groups of employees;
  - (b) Average annual salary and wages and access to health insurance and retirement benefits for all Maine employees and for qualified Pine Tree Development Zone employees; and
  - (c) Amount of investment associated with the qualified Pine Tree Development Zone business locations or directly related to the qualified business activities.

**Sec. 2. 36 MRSA §5219-AAA, sub-§10, ¶A,** as enacted by PL 2023, c. 412, Pt. J, §13, is amended to read:

A. The name, municipality in this State in which the business's primary place of business is located and business type, including the parent company, if applicable, of the qualified business;

**Sec. 3. 36 MRSA §6764** is enacted to read:

**§6764. Annual report**

On or before March 1st annually, beginning in 2025, the commissioner shall report to the joint standing committees of the Legislature having jurisdiction over taxation matters and economic development matters information including the:

**1. Applicant information.** Name, municipality in this State in which the business's primary place of business is located and business type, including the parent company, if applicable, of each applicant approved for the employment tax increment financing development program;

**2. Reimbursement.** Aggregate amounts of reimbursements claimed;

**3. Number of jobs.** Numbers of jobs created as a consequence of the employment tax increment financing development program; and

**4. Amount of wages.** Aggregate amounts of wages paid for jobs created as a consequence of the employment tax increment financing development program.

See title page for effective date.

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**CHAPTER 632**

**S.P. 836 - L.D. 2014**

**An Act Regarding Spirits Price Review and Recommendations**

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

**Sec. 1. 28-A MRSA §83-C, sub-§2-B** is enacted to read:

**2-B. Recommendations; review.** Beginning October 1, 2024, and every 2 years thereafter, review the retail prices of spirits sold in the State established by the commission under section 81, subsection 5. The review must include comments provided to the bureau from a public hearing held by the bureau on the retail prices of spirits sold in the State. The bureau shall submit a report of the review conducted under this subsection to the commission and to the joint standing committee of the Legislature having jurisdiction over alcoholic beverages matters. The report may include recommendations regarding the establishment of the retail prices of spirits sold in the State pursuant to subsection 2.

**Sec. 2. 28-A MRSA §83-C, sub-§6,** as enacted by PL 2013, c. 476, Pt. A, §9, is amended to read:

**6. Rules.** Adopt rules consistent with this Title or other laws of the State for the administration of all laws concerning the sale of spirits. The rules must include a process for developing recommendations to be submitted to the commission regarding the establishment of the retail prices of spirits sold in the State under subsection 2, including, but not limited to, rules regarding the data and other criteria used in developing the recommendations. The rules must establish a process for the bureau to receive public input regarding the proposed recommendations to the commission. In adopting the rules, the bureau shall hold a public hearing. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A;

**Sec. 3. Rulemaking.** On or before September 1, 2024, the State Liquor and Lottery Commission, established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 14, shall initiate rulemaking to establish procedures for the conduct of adjudicatory hearings pursuant to Title 28-A, section 81, subsection 5.

See title page for effective date.

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