

# 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**

matters. The joint standing committee is authorized to report out a bill to the 132nd Legislature in 2025 based on the recommendations of the task force.

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

Effective March 25, 2024.

**CHAPTER 147  
H.P. 1428 - L.D. 2227**

**Resolve, Regarding Legislative Review of Portions of Chapter 80: Reduction of Toxics in Packaging, a Late-filed Major Substantive Rule of the Department of Environmental Protection**

**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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** a major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 80: Reduction of Toxics in Packaging, a provisionally adopted major substantive rule of the Department of Environmental Protection that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective March 25, 2024.

**CHAPTER 148  
S.P. 418 - L.D. 1049**

**Resolve, Directing the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to Enter into a Memorandum of Understanding to Address Aquatic Invasive Species**

**Sec. 1. Department of Inland Fisheries and Wildlife and Department of Marine Resources to enter into memorandum of understanding.**

**Resolved:** That, by December 15, 2024, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, referred to jointly in this resolve as "the departments," shall enter into a memorandum of understanding to establish a process to plan for actions to control and prevent the further spread of aquatic invasive species as fish passages are improved and fish barriers are removed statewide.

**Sec. 2. Review and update of memorandum of understanding.**

**Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that the memorandum be reviewed and updated at least every 5 years to coincide with the renewal of the memorandum. The memorandum must also include a provision authorizing the departments to review and update the memorandum at more frequent intervals when significant changes are planned with respect to how fish passages and fish barriers are managed. The review must include an assessment of the departments' progress on actions to control and prevent the further spread of aquatic invasive species and initiatives identified in the memorandum to ensure timely progress and completion, as well as identification of any new supporting initiatives.

**Sec. 3. Departments' progress report to joint standing committee.**

**Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that the departments submit a report on the departments' progress under the memorandum to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters at least every 5 years, to coincide with the renewal of the memorandum under section 2.

**Sec. 4. Other updates to joint standing committee.**

**Resolved:** That the departments shall include in the memorandum of understanding under section 1 a requirement that, if changes are planned that reduce commitments outlined in the memorandum to control and prevent the further spread of aquatic invasive species at the dam on the Penobscot River in the Town of Medway or the dam on the Piscataquis River at Brown's Mill in the Town of Dover-Foxcroft, the departments