

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
130<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENVIRONMENT  
AND NATURAL RESOURCES**

July 2022

**MEMBERS:**

SEN. STACY BRENNER, CHAIR  
SEN. ANNE M. CARNEY  
SEN. RICHARD A. BENNETT

REP. RALPH L. TUCKER, CHAIR  
REP. LYDIA C. BLUME  
REP. LORI K. GRAMLICH  
REP. STANLEY PAIGE ZEIGLER, JR.  
REP. VICTORIA W. DOUDERA  
REP. ARTHUR L. BELL  
REP. JAMES BOYLE\*  
REP. JEFFERY P. HANLEY  
REP. BETH A. O'CONNOR  
REP. WILLIAM R. TUELL

**STAFF:**

DANIEL TARTAKOFF, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

\*Committee member for portion of session

**JOINT STANDING COMMITTEE ON  
ENVIRONMENT AND NATURAL RESOURCES**

**LD 259 An Act To Increase the Waste Handling Fee Imposed on the Landfilling of Municipal Solid Waste**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 653 amends statutory waste handling fees to increase the fee imposed on the disposal at a landfill of municipal solid waste and municipal solid waste ash from \$1 per ton to \$2 per ton.

**LD 1429 An Act Achieve Carbon Neutrality in Maine by the Year 2045**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 517 amends the State's greenhouse gas emissions reductions law to provide that, beginning January 1, 2045, net annual greenhouse gas emissions in the State may not exceed zero metric tons.

**LD 1467 An Act To Promote a Circular Economy through Increased Post-consumer Recycled Plastic Content in Plastic Beverage Containers**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 742 provides that, beginning January 1, 2026, an initiator of deposit or spirits manufacturer may not sell, offer for sale or distribute for sale in the State a plastic beverage container unless all of the plastic beverage containers sold, offered for sale or distributed for sale in the State by that initiator of deposit or spirits manufacturer contain, on average and in the aggregate, at least 25% post-consumer recycled plastic or the initiator of deposit or spirits manufacturer pays a post-consumer recycled plastic content fee. That post-consumer recycled plastic requirement increases to 30% post-consumer recycled plastic beginning January 1, 2031. The Department of Environmental Protection is responsible for administering and enforcing the requirements of this law and may prohibit the sale of plastic beverage containers of initiators of deposit or spirits manufacturers that fail to comply with those requirements.

**LD 1488 Resolve, To Study and Recommend Improvements to Maine's Dam Safety**

**ENACTED LAW SUMMARY**

Resolve 2021, chapter 176 requires the Department of Defense, Veterans and Emergency Management to request a peer review from the Association of State Dam Safety Officials, to be completed by September 30, 2023, of the State's dam safety efforts. If the peer review is completed by September 30, 2023, the department is required to convene a stakeholder group to review and receive public input on the peer review, including recommendations to address any deficiencies

**JOINT STANDING COMMITTEE ON  
ENVIRONMENT AND NATURAL RESOURCES**

identified in the peer review and to submit by January 1, 2024 a report to the joint standing committee of the Legislature having jurisdiction over veterans affairs that includes the results of the peer review, a summary of the stakeholder review and any recommendations for the improvement of dam safety, including suggested legislation. The committee is authorized to report out a bill to the Second Regular Session of the 131st Legislature based on the report.

**LD 1639 An Act To Protect the Health and Welfare of Maine Communities and Reduce Harmful Solid Waste**

**ENACTED LAW SUMMARY**

Public Law 2021, chapter 626 makes the following changes to the solid waste management laws.

1. It amends the definition of “waste generated within the State” beginning February 1, 2023 to provide that if the total weight of the residue generated in a calendar year by an incineration facility, recycling facility or solid waste processing facility that is disposed of or otherwise placed in a solid waste landfill in that calendar year exceeds the total weight of the solid waste initially generated within the State that was incinerated or processed by that facility in that calendar year, any such excess residue generated by that facility is not considered waste generated within the State.
2. It provides that certain solid waste processing facilities that were in operation during calendar year 2018 and that accept exclusively construction and demolition debris must reuse or recycle at least 30% of such debris through methods other than placement in a solid waste landfill by January 1, 2024, at least 40% of such debris through methods other than placement in a solid waste landfill by January 1, 2025 and at least 50% of such debris through methods other than placement in a solid waste landfill by January 1, 2026. It also eliminates the provision of law that authorizes such facilities to request a waiver from the Department of Environmental Protection from otherwise applicable reuse and recycling requirements.
3. It adds environmental justice to the public benefit determination standards for solid waste disposal facilities and provides a definition for “environmental justice.”

Public Law 2021, chapter 626 also directs the Department of Administrative and Financial Services, Bureau of General Services to evaluate options for the renegotiation of the operating services agreement of February 5, 2004, as amended, governing the operation of the state-owned solid waste landfill in Old Town for the purpose of ensuring that existing capacity at that landfill is prioritized for management of waste initially generated within the State within the meaning of the Maine Revised Statutes, Title 38, section 1303-C, subsection 40-A, paragraph A. By January 15, 2023, the bureau is directed to report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters the results of that evaluation and to provide any recommendations for legislative action necessary to ensure that existing capacity at the state-owned solid waste landfill in Old Town is prioritized for management of waste