

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH 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

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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

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initially generated within the State. After receiving the report, the joint standing committee may report out legislation to implement any such recommendations.

LD 1801 An Act To Modify Exemptions for Certain Storm Water Discharges to Class AA and SA Waters

ENACTED LAW SUMMARY

Public Law 2021, chapter 503 amends the law governing exemptions for storm water discharges to Class AA and Class SA waters and provides that certain segments of waters classified as Class AA and Class SA are not designated as outstanding national resources.

Public Law 2021, chapter 503 was enacted as an emergency measure effective March 16, 2022.

LD 1809 An Act To Allow Exceptions to the Height Limitations under the Shoreland Zoning Laws

ENACTED LAW SUMMARY

Public Law 2021, chapter 504 amends how the height of an existing principal or accessory structure, including a legally existing nonconforming structure, located in the shoreland zone is measured when the structure is also located in an area of special flood hazard and there is a minimum elevation required for structures by a local floodplain management ordinance. It specifically allows for an exception to shoreland zoning height requirements for legally existing nonconforming structures located in an area of special flood hazard in order to be consistent with a local floodplain management elevation requirement.

LD 1826 An Act To Require Reporting by the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species Regarding Recommendations To Reduce the Threat of Further Infestations

ENACTED LAW SUMMARY

Public Law 2021, chapter 522 amends the statute governing the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species to require that, on or before January 15, 2023, and biennially thereafter, the task force submit to the Department of Environmental Protection, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the joint standing committees of the Legislature having jurisdiction over environment and natural resources matters, inland fisheries and wildlife matters and marine resources matters a report containing its findings and recommendations, including any suggested legislation, on a variety of matters relating to controlling the introduction of invasive aquatic plants and nuisance species in the State. After reviewing the report, each joint standing committee may report out legislation related to the report.