

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



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

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

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**LEGISLATIVE DIGEST OF BILLS AND
SUMMARIES OF ENACTED LAWS**

This *Legislative Digest of Bills and Summaries of Enacted Laws* provides the disposition of all LDs and summaries of all laws enacted or finally passed during the First Regular and First Special Sessions of the 131st Maine Legislature. Please note that all LDs and proposed amendments may be found through the Legislature's webpage, and each includes a summary of what the bill or amendment proposed.

The *Legislative Digest of Bills and Summaries of Enacted Laws* is arranged alphabetically by committee. Within each committee section is a subject index of all LDs considered by that committee as well as a digest of the LDs, arranged by LD number. Also included are enacted law summaries of the LDs enacted or finally passed. Brief analyst notes on certain LDs are also included: a committee digest will indicate if additional notes are provided for an LD. These notes add information staff found useful and may provide useful information to users of this *Digest*; please note that most LDs do not have a note and lack of a note should not be interpreted as having any significance. A separate section of the *Digest* provides a digest of the relatively few LDs that were not referred to a committee or reported from a committee as a committee bill; enacted law summaries of the LDs enacted or finally passed are provided. Finally, an appendix provides a summary of relevant session statistics.

The final disposition of each LD is noted in the relevant summary digest and index. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X..... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular and First Special Sessions of the 131st Legislature is Thursday, June 29, 2023 and Wednesday, October 25, 2023, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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LD 9 An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 45 exempts permit by rule applications under the site location of development laws from the 20-day processing requirement under current law and instead requires the Commissioner of Environmental Protection to decide whether such an application meets applicable permit by rule requirements within 90 calendar days of notifying the applicant that the application has been accepted unless the commissioner establishes a different time period for the decision pursuant to the Maine Revised Statutes, Title 38, section 344-B.

LD 10 An Act to Amend the Laws Governing Invasive Aquatic Plants

ENACTED LAW SUMMARY

Public Law 2023, chapter 5 includes in the definition for certain conservation and environmental protection laws of "invasive aquatic plant" all Myriophyllum species that are nonindigenous to the State, as well as all Trapa species, all Cabomba species and the plants water soldier, giant salvinia, swollen bladderwort and starry stonewort. Sales of invasive aquatic plants are prohibited in the State under current law. Public Law 2023, chapter 5 also prohibits the sale in the State of any plant of the genus Myriophyllum that is indigenous to the State.

LD 27 An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements

ENACTED LAW SUMMARY

Public Law 2023, chapter 28 changes the definition of "residential dwelling" in the laws governing lead abatement. It also removes the exemption that provides that a person 18 years of age or older who owns and personally occupies a dwelling unit in which a resident child has been identified as lead-poisoned need not obtain licensing and certification to perform abatement activities within that dwelling unit, as long as the person completes any training required by the Department of Health and Human Services.

LD 28 An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program

ENACTED LAW SUMMARY

Public Law 2023, chapter 57 provides that the Board of Environmental Protection may adopt or amend rules relating to the beneficial use of solid waste. Those rules are designated major

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substantive rules except for certain rules adopting or amending screening levels for beneficial use, which are designated routine technical rules.

LD 71 Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection

ENACTED LAW SUMMARY

Resolve 2023, chapter 10 authorizes the Department of Environmental Protection to finally adopt Chapter 171: Control of Petroleum Storage Facilities, a provisionally adopted major substantive rule of the department that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Resolve 2023, chapter 10 was finally passed as an emergency measure effective May 8, 2023.

LD 74 An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board

ENACTED LAW SUMMARY

Public Law 2023, chapter 61 shifts responsibility for appeals of certain insurance claims-related decisions from the Clean-up and Response Fund Review Board to the Board of Environmental Protection. It also provides procedures for vacancies on the board, sets term limits for board members, reduces the number of required meetings and directs the board to choose a chair every 2 years.

LD 134 An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers

ENACTED LAW SUMMARY

Public Law 2023, chapter 48 amends the beverage container redemption laws to increase the amount of the reimbursement of beverage container handling costs paid by an initiator of deposit to a dealer or redemption center from 4 1/2¢ per container to 5 1/2¢ per container beginning May 1, 2023 and to 6¢ per container beginning September 1, 2023.

Public Law 2023, chapter 48 was enacted as an emergency measure effective May 5, 2023.