

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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STAFF:

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

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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.

JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

LD 219 An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection

ENACTED LAW SUMMARY

Public Law 2023, chapter 139 provides for the following changes to the laws governing orders and decisions of the Commissioner of Environmental Protection and the Board of Environmental Protection and appeals of those orders and decisions.

1. Current law provides that the commissioner may revoke or suspend a license if the commissioner finds that certain specified statutory criteria have been met. The board is similarly authorized by law to modify a license or order necessary corrective action if the board finds that the same statutory criteria have been met. Public Law 2023, chapter 139 provides that such a revocation or suspension of a license by the commissioner or such a modification of a license or ordering of corrective action by the board may occur at any time, including during the pendency of a judicial appeal of a final decision regarding the license. It also provides that the commissioner may act on an application for a license or permit renewal, amendment, revision, condition compliance, surrender or transfer at any time, including during the pendency of a judicial appeal of a final decision regarding the license or permit.
2. Public Law 2023, chapter 139 provides that, on appeal to the board of a final license or permit decision of the commissioner, an appellant must include any proposed supplemental evidence with the filing of the appeal and the board may admit into the record supplemental evidence offered by a respondent in response as well as additional evidence and analysis submitted by Department of Environmental Protection staff in response.
3. Public Law 2023, chapter 139 provides that when a license or permit decision or other final action of the board or the commissioner is appealed to a court, the board or the commissioner may toll for the pendency of the judicial appeal the running of time for any deadline established in the license, permit or action under appeal.

LD 276 An Act to Assist Municipalities in Preventing Damage from Storm Water

ENACTED LAW SUMMARY

Public Law 2023, chapter 65 authorizes a municipality or a regional community and economic development organization to appropriate funds to repair a private road, way, bridge or storm water management system for the purpose of protecting or restoring a protected natural resource by preventing storm water runoff pollution from reaching the protected natural resource subject to certain specific requirements, including a requirement that the private road, way, bridge or storm water management system is located wholly or partially within or immediately adjacent to a military installation closed pursuant to the federal Defense Base Realignment and Closure Act of 1990.