

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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for waste discharge modeling required as part of a license application for a finfish aquaculture facility, which must be based on the department's knowledge of current best management practices for those facilities.

On or before January 15, 2024, the department is required to submit to the Joint Standing Committee on Environment and Natural Resources a report summarizing the review and providing any recommendations, including any proposed legislation, resulting from the review. After reviewing the report, the committee may report out legislation relating to the report to the Second Regular Session of the 131st Legislature.

LD 596 An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review

ENACTED LAW SUMMARY

Public Law 2023, chapter 79 amends the definition of "subdivision" under the laws governing subdivisions to provide that, unless the intent of a transferor is to avoid the objectives of those laws, the division of a tract or parcel of land accomplished by the transfer of any interest in the land to a holder does not create a lot or lots for the purposes of that definition if:

1. The transferred interest, as expressed by conservation easement, binding agreement, declaration of trust or otherwise, is to be permanently held for one or more of the following conservation purposes: retaining or protecting the natural, scenic or open space values of the land; ensuring the availability of the land for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air quality or water quality; and
2. The transferred interest is not subsequently further divided or transferred except to another holder.

For the purposes of Public Law 2023, chapter 79, a "holder" means a governmental body empowered to hold an interest in real property under the laws of the State or the United States or a nonprofit corporation or charitable trust, the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property; ensuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality or preserving the historical, architectural, archaeological or cultural aspects of real property.

LD 718 An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill

ENACTED LAW SUMMARY

Public Law 2023, chapter 283 amends the law regarding the reuse or recycling of construction and demolition debris by certain solid waste processing facilities that were in operation during calendar year 2018 and accept exclusively construction and demolition debris by extending the dates by

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which such facilities must reuse or recycle a certain percentage of such debris through methods other than placement in a solid waste landfill. The law makes those changes in effective dates retroactive to December 31, 2021.

Public Law 2023, chapter 283 also provides that, for the period beginning on the effective date of the Act and ending July 1, 2025, if in any 12-month period the total weight of the residue generated by a solid waste processing facility and disposed of or otherwise placed in a solid waste landfill exceeds the total weight of the solid waste initially generated within the State that was processed by the facility in that 12-month period, such excess residue, not to exceed 25,000 tons in that 12-month period, is deemed to be waste generated within the State within the meaning of the Maine Revised Statutes, Title 38, section 1303-C, subsection 40-A as long as that excess residue is composed of oversized bulky waste and is disposed of or otherwise placed in a state-owned solid waste landfill. Any other excess residue generated by the facility in that 12-month period is deemed not to be waste generated within the State.

Public Law 2023, chapter 283 also directs the Department of Environmental Protection, in consultation with the Public Utilities Commission, to evaluate options for and develop recommendations regarding state regulation of the transportation, landfill disposal and other management of sludge generated from wastewater treatment plants as the activities of a public utility and regarding state regulation of the operation of state-owned solid waste landfills as a public utility. On or before January 15, 2024, the department is required to submit a report outlining the results of the study and recommendations, including any proposed legislation, to the Joint Standing Committee on Environment and Natural Resources. After reviewing the report, the committee may report out legislation relating to the report to the Second Regular Session of the 131st Legislature.

Public Law 2023, chapter 283 was enacted as an emergency measure effective June 23, 2023.

LD 826 An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning

ENACTED LAW SUMMARY

Public Law 2023, chapter 300 amends the laws regulating the decommissioning of solar energy developments to stipulate that decommissioning includes providing for the recycling of the waste components of the solar energy development that are recyclable, including, but not limited to, the solar panels, by a facility authorized to accept such materials for recycling and providing for the disposal of the waste components of the solar energy development that are not recyclable by a facility authorized to accept such materials for disposal.