

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 1172 An Act to Reestablish Annual Reporting on Solid Waste in Maine

ENACTED LAW SUMMARY

Public Law 2023, chapter 331 requires the Department of Environmental Protection, beginning in 2026, to annually instead of biennially report to the Legislature information on statewide generation of solid waste, statewide recycling rates and available disposal capacity for solid waste. It also clarifies the categories of information required to be included in the report and requires the department to take all actions necessary to modernize, streamline and improve the efficiency of the data collection, consolidation and reporting systems, procedures and processes it uses or intends to use to satisfy that reporting requirement.

LD 1246 An Act to Include Endangered and Threatened Species Habitat in the Definition of "Significant Wildlife Habitat" Under the Natural Resources Protection Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 156 amends the Natural Resources Protection Act by adding to the definition of "significant wildlife habitat" habitat for state endangered and state threatened species that is within another protected natural resource area or that is wholly or partly contained within the boundaries of a proposed project site that requires approval from the Department of Environmental Protection pursuant to the Natural Resources Protection Act, the site location of development laws or the laws on performance standards for quarries or for excavations for borrow, clay, topsoil or silt or that requires approval from the Maine Land Use Planning Commission pursuant to the Natural Resources Protection Act or, for subdivisions and nonresidential uses only, the commission's use regulation laws.

Public Law 2023, chapter 156 also requires the Department of Inland Fisheries and Wildlife to adopt major substantive rules defining habitat for state endangered and state threatened species and the Department of Environmental Protection to adopt major substantive rules regarding the criteria used to determine whether an area is habitat for state endangered or state threatened species.

LD 1363 An Act to Support Extraction of Common Minerals by Amending the Maine Metallic Mineral Mining Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 398 amends the definition of "metallic mineral" in the Maine Metallic Mineral Mining Act and amends the definition of "mining" to exclude under specific circumstances the physical extraction, crushing, grinding, sorting, storage or heating of calcium carbonate or limestone to produce cement and the exploration for or physical extraction, crushing, grinding, sorting and storage of borrow, topsoil, clay or silt and gemstones, aggregate, dimension stone or other construction materials from a quarry. It also provides that a person engaging in

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mining activities pursuant to the Maine Metallic Mineral Mining Act is subject to the mining excise tax under the Maine Revised Statutes, Title 36, chapter 371.

Public Law 2023, chapter 398 also establishes a mechanism by which a person proposing to conduct exploration for or physical extraction, crushing, grinding, sorting or storage of metallic minerals may request a written determination from the Department of Environmental Protection that the requirements of the Maine Metallic Mineral Mining Act do not apply to the activity. The department is directed to adopt major substantive rules governing such determinations, which must require, for such exclusion, that the activity will generate only mine waste that does not have the potential to create acid rock drainage, alkali rock drainage or drainage or other discharges that could cause violations of water quality criteria or standards other than sedimentation or turbidity and will not release or expose radioactive or other materials that could endanger human health or the environment. The rules must also require that the activity, if excluded from the requirements of the Maine Metallic Mineral Mining Act, is subject to requirements of Title 38, chapter 3, subchapter 1, article 6, article 7 or article 8-A or Title 12, chapter 206-A, as applicable, and the law provides that such activities are subject to the mining excise tax under Title 36, chapter 371.

LD 1411 An Act to Enhance Reporting by Certain Agencies Regarding Greenhouse Gas Emissions

ENACTED LAW SUMMARY

Public Law 2023, chapter 234 requires that, on or before February 15, 2024, and annually thereafter, the Department of Transportation submit a report to the joint standing committees of the Legislature having jurisdiction over environment and natural resources matters and transportation matters regarding capital work plan investments designed to reduce greenhouse gas emissions associated with the department during the prior calendar year, including a summary of department-related greenhouse gas emissions associated with different sources and department-related greenhouse gas emissions associated with new road alignment construction activities during the prior calendar year.

Public Law 2023, chapter 234 requires the Maine Climate Council to include in its updated climate action plan, beginning with the updated climate action plan due by December 1, 2024, greenhouse gas emissions reductions projections, including sector-specific greenhouse gas emissions reductions projections, based on the strategies and actions in the plan and information regarding how those projections and the updated plan are designed to achieve the greenhouse gas emissions reductions specified in the Maine Revised Statutes, Title 38, section 576-A.

Public Law 2023, chapter 234 amends the requirements for the Department of Environmental Protection's biennial report on the progress made toward meeting the greenhouse gas emissions reductions specified in Title 38, section 576-A and progress toward implementing the climate action plan to include an evaluation of gross annual greenhouse gas emissions, including an identification of greenhouse gas emissions by source category, energy emissions and consumption and an economic analysis of greenhouse gas emissions per unit of economic activity; an evaluation of net annual greenhouse gas emissions, including the State's carbon budget, forest carbon markets

ENACTED LAW SUMMARIES