

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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**

October 2023

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>

MEMBERS:

SEN. STACY BRENNER, CHAIR
SEN. ANNE M. CARNEY
SEN. PETER LYFORD

REP. LORI K. GRAMLICH, CHAIR
REP. MARGARET M. O'NEIL
REP. VICTORIA W. DOUDERA
REP. ARTHUR L. BELL
REP. WILLIAM R. BRIDGEO
REP. DANIEL J. HOBBS
REP. RICHARD H. CAMPBELL
REP. TAMMY L. SCHMERSAL-BURGESS
REP. MICHAEL SOBOLESKI
REP. DAVID WOODSOME

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



**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 1814 An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs

ENACTED LAW SUMMARY

Public Law 2023, chapter 384 prohibits the sale or distribution of certain mercury-added lamps beginning January 1, 2026.

LD 1909 An Act to Modernize Maine's Beverage Container Redemption Law

ENACTED LAW SUMMARY

Public Law 2023, chapter 482 makes multiple changes to the beverage container redemption laws, including the following.

1. It requires all initiators of deposit to enter into a commingling agreement no later than October 15, 2024 and authorizes the approval of special commingling agreements for initiators of deposit that are not members of a commingling group and that cannot in the aggregate satisfy the requirements for a qualified commingling agreement under current law.
2. It requires all established commingling groups by October 15, 2024 to establish a nonprofit commingling cooperative to provide for the management of beverage containers under a single commingling program. By January 15, 2025, the cooperative must submit a plan for the operation of the commingling program to the Department of Environmental Protection for review and approval, which the department must complete within 120 days of receipt. The plan must be designed to provide for implementation of the commingling program on or before July 15, 2025, which must be operated in a manner designed to achieve an overall statewide beverage container redemption rate of 75% by January 1, 2027, of 80% by January 1, 2032 and of 85% by January 1, 2037. Among its duties under the program, the commingling cooperative must account for and maintain unclaimed beverage container deposits. From those unclaimed deposits, the cooperative must pay to the department an annual fee not to exceed \$600,000 and must provide to the department \$1,000,000 annually to support the Cost and Carbon Efficient Technology Fund. Money in that fund is to be used to support grants relating to technology upgrades and activities designed to support the development of an infrastructure for the use of refillable beverage containers.
3. It implements a process, to be repealed December 31, 2025, through which a dealer or redemption center may apply for and the Department of Environmental Protection may approve a temporary waiver during which the dealer or redemption center may apportion beverage container costs to distributors using an alternative method that does not require processing of all beverage containers through a reverse vending machine or similar technology requiring the scanning of each container. The implementation of this process must be assessed in a February 15, 2025 report from the department to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters.

JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

4. It requires the Department of Environmental Protection to adopt rules establishing requirements for the implementation by the cooperative of an efficient beverage container collection system of redemption centers that is adequate to serve the needs of consumers in both rural and urban areas throughout the State.
5. It specifies that, on or before February 15, 2024, and annually thereafter, the Department of Environmental Protection must report to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters on the status of the beverage container redemption program, including any recommendations for necessary amendments to the beverage container redemption laws. For the report due February 15, 2024, it requires the department to include recommendations for amendments to the laws necessary to ensure the timely and successful implementation of special commingling agreements and the single commingling program operated by a commingling cooperative.

LD 1926 An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River

ENACTED LAW SUMMARY

Public Law 2023, chapter 295 amends the State's water classification program to provide that for the segment of the main stem of the Presumpscot River from Saccarappa Falls to tidewater, for the period beginning October 15, 2023 and ending January 1, 2028, there may be no new direct discharges to that segment except for any new direct storm water discharges licensed under the Maine Revised Statutes, Title 38, section 413; Title 38, section 420-D; or Title 38, chapter 3, subchapter 1, article 6.