

MAINE STATE LEGISLATURE

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STATE OF MAINE
131ST LEGISLATURE
SECOND REGULAR SESSION



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

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

June 2024

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STATE OF MAINE

131ST LEGISLATURE
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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 Second Regular Session 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 Second Regular Session of the 131st Legislature is Friday, August 9, 2024. 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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in, on or over a coastal wetland; or adjacent to a protected natural resource, subject to additional specified limitations.

3. It exempts from permit requirements the repair of a pier, wharf or dock located wholly or partially in, on or over a coastal wetland where the height of the pier, wharf or dock is increased by no more than the amount necessary for the bottom of the lowest horizontal structural component of the deck to be four feet above base flood elevation, subject to additional specified limitations.
4. It provides that the Department of Environmental Protection may authorize through a permit by rule an increase in the height of a pier, wharf or dock located wholly or partially in, on or over a coastal wetland when reconstructed or replaced where the height of the pier, wharf or dock is increased by no more than the amount necessary for the bottom of the lowest horizontal structural component of the deck to be four feet above base flood elevation, subject to additional specified limitations.
5. It provides that the department may authorize through a permit or a permit by rule the reconstruction or replacement of a pier, wharf or dock in, on or over a coastal sand dune system if the pier, wharf or dock was in existence on January 1, 2024 and the reconstructed or replaced pier, wharf or dock is built on pilings, posts or similar supports that allow for the free movement of water, wind and sand under the deck, subject to additional specified limitations.
6. It provides that department rulemaking conducted prior to July 1, 2025 to amend its rule Chapter 305: Natural Resources Protection Act-Permit by Rule Standards and its rule Chapter 355: Coastal Sand Dune Rules to ensure the consistency of those rules with the statutory changes provided for in this law is routine technical rulemaking. The law also provides that prior to the final adoption of those rule amendments, the department may authorize through a permit or permit by rule, as applicable, certain pier, wharf or dock reconstruction, replacement or repair activities authorized by the statutory changes in the law.

Public Law 2023, chapter 531 was enacted as an emergency measure effective March 12, 2024.

LD 2034 An Act to Address Identified Gaps in the Laws Governing Erosion Control and the Natural Resources Protection Act

ENACTED LAW SUMMARY

Public Law 2023, chapter 505 amends the laws governing erosion control to extend the requirement for preventing unreasonable erosion of soil or sediment statewide instead of applying only in the organized areas of the State. The law does not extend the application of the retroactive provisions of the laws regarding erosion because of human activity, which currently apply only in the organized areas of the State, to the unorganized areas of the State. The law also clarifies that the Maine Land Use Planning Commission and the Department of Agriculture, Conservation and Forestry, Bureau of Forestry have enforcement authority pursuant to their delegated authority under the Natural Resources Protection Act.