

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

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Joint Standing Committee on Environment and Natural Resources

SUBJECT INDEX

Air Quality/Air Emissions

Enacted	LD 71	Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 10
	LD 400	Resolve, Directing the Department of Environmental Protection to Examine Regulatory Requirements for Outdoor Wood Boilers	RESOLVE 13
	LD 1652	Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a Late-filed Major Substantive Rule of the Department of Environmental Protection	RESOLVE 25
Not Enacted	LD 29	An Act to Reduce Air Emissions at Petroleum Storage Facilities	Leave to Withdraw Pursuant to Joint Rule 310
	LD 627	An Act to Promote Clean and Affordable Maine-sourced Bioenergy by Amending the Law Regarding Outdoor Wood Boilers and Outdoor Pellet Boilers	ONTP

Aquaculture

Enacted	LD 508	Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities	RESOLVE 59
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Beverage Containers

Enacted	LD 134	An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers	PUBLIC 48
	LD 1909	An Act to Modernize Maine's Beverage Container Redemption Law	PUBLIC 482
Not Enacted	LD 972	Resolve, Directing the Department of Environmental Protection to Evaluate Strategies for Improving the Returnable Beverage Container Laws	ONTP
	LD 1910	An Act to Amend the Returnable Beverage Container Program	ONTP

Board of Environmental Protection

Enacted	LD 219	An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection	PUBLIC 139
Not Enacted	LD 865	An Act to Clarify the Roles and Responsibilities of the Board of Environmental Protection by Adjusting the Requirements for Certain Hearings and for Certain Agencies by Adjusting the Requirements for Cost-Benefit Analysis	CARRIED OVER

Chemical Regulation

Enacted	LD 217	An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances	PUBLIC 138
Not Enacted	LD 169	An Act to Amend and Clarify the Laws Governing Perfluoroalkyl and Polyfluoroalkyl Substances and Other Harmful Chemicals	Leave to Withdraw Pursuant to Joint Rule 310
	LD 171	An Act to Provide That All Rules Regarding Perfluoroalkyl and Polyfluoroalkyl Substances Are Major Substantive Rules	Leave to Withdraw Pursuant to Joint Rule 310
	LD 188	An Act to Require the Department of Environmental Protection to Pay for Certain Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances	ONTP
	LD 242	An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law	ONTP
	LD 277	An Act Regarding Perfluoroalkyl and Polyfluoroalkyl Substances	CARRIED OVER
	LD 304	An Act to Establish Statewide Standards for Perfluoroalkyl and Polyfluoroalkyl Substances	ONTP
	LD 1214	An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination	ONTP
	LD 1273	An Act to Exempt Some Businesses from Certain Laws Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in Accordance with the Size of the Business	ONTP
	LD 1537	An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding	CARRIED OVER
	LD 1908	An Act to Enact the Safe Cosmetics Act	CARRIED OVER

	LD 1960	An Act to Support Farming in Maine by Extending the Deadline for Manufacturers of Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances to Report on Those Products	CARRIED OVER
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Climate Change/Greenhouse Gases

Enacted	LD 1411	An Act to Enhance Reporting by Certain Agencies Regarding Greenhouse Gas Emissions	PUBLIC 234
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Not Enacted	LD 1058	An Act to Advance Greenhouse Gas Removal as an Economic Development Strategy in Maine	ONTP
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	LD 1126	Resolve, to Increase Community Action Grants	ONTP
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	LD 1658	An Act to Verify the Reduction of Global Greenhouse Gas Emissions for Certain Electric Transmission Line Projects	ONTP
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Coastal Areas

Enacted	LD 478	An Act to Improve Coastal Sand Dune Restoration Projects	PUBLIC 97
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Department of Environmental Protection

Enacted	LD 219	An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection	PUBLIC 139
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Drinking Water

Enacted	LD 1473	An Act to Protect Certain Unfiltered Drinking Water Sources	PUBLIC 264
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Not Enacted	LD 1081	An Act to Impose a Fee on Commercial Water Withdrawn from Lakes and Ponds to Fund Conservation Efforts and Prohibit a Fee on the Sale of Water Withdrawn from a Lake or Pond	ONTP
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	LD 1418	An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations	CARRIED OVER
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Electronic Waste

Not Enacted	LD 127	An Act to Eliminate Television Recycling Fees for Charitable Entities	ONTP
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Environmental Regulation

Not Enacted	LD 928	RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment	CARRIED OVER
	LD 1393	Resolve, to Establish the Commission to Examine Programs and Policies Regarding Natural Resources and Environmental Protection	ONTP
	LD 1621	An Act Regarding Environmental Justice	CARRIED OVER

Hazardous Substances

Enacted	LD 27	An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements	PUBLIC 28
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Invasives

Enacted	LD 10	An Act to Amend the Laws Governing Invasive Aquatic Plants	PUBLIC 5
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Land Use

Enacted	LD 1473	An Act to Protect Certain Unfiltered Drinking Water Sources	PUBLIC 264
Not Enacted	LD 54	An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances	ONTP
	LD 1470	An Act Regarding Transfers of Land in Resource Protection Areas	ONTP
	LD 1839	An Act to Study a Permitting Process for and Establish a Moratorium on Certain Tall Structures	ONTP

Licensing/Permitting

Enacted	LD 9	An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws	PUBLIC 45
	LD 219	An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection	PUBLIC 139

Not Enacted	LD 1839	An Act to Study a Permitting Process for and Establish a Moratorium on Certain Tall Structures	ONTP
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Mining/Quarrying

Enacted	LD 1363	An Act to Support Extraction of Common Minerals by Amending the Maine Metallic Mineral Mining Act	PUBLIC 398
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Not Enacted	LD 1433	An Act to Exclude Pegmatites from the Definition of "Metallic Mineral"	ONTP
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	LD 1471	An Act to Amend Provisions of the Maine Metallic Mineral Mining Act	CARRIED OVER
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	LD 1476	An Act to Amend the Definition of "Metallic Mineral" in the Maine Metallic Mineral Mining Act	ONTP
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	LD 1482	An Act to Impose a Moratorium on Open-pit Rock Quarry Excavation	Leave to Withdraw Pursuant to Joint Rule 310
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	LD 1495	Resolve, Establishing the Commission to Study the Role of Critical Minerals as a Resource in the State	Died On Adjournment
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	LD 1508	An Act to Ensure a Strategic Approach to Maine's Energy Transition by Imposing a Moratorium on Lithium Mining	ONTP
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	LD 1564	An Act to Eliminate Metallic Mineral Mining Activities Without a Permit	ONTP
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Natural Resources Protection Act

Enacted	LD 392	Resolve, Regarding Legislative Review of Portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 8
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	LD 478	An Act to Improve Coastal Sand Dune Restoration Projects	PUBLIC 97
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	LD 1246	An Act to Include Endangered and Threatened Species Habitat in the Definition of "Significant Wildlife Habitat" Under the Natural Resources Protection Act	PUBLIC 156
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Not Enacted	LD 1847	An Act to Modify the Visual Impact Standards for Offshore Wind Port Development and Establish Labor Standards for Wind Power Projects	Veto Sustained
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Oil Storage Facilities

Enacted	LD 71	Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 10
	LD 74	An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board	PUBLIC 61
	LD 319	An Act to Amend Maine's Underground Oil Storage Tank Laws	PUBLIC 16
Not Enacted	LD 29	An Act to Reduce Air Emissions at Petroleum Storage Facilities	Leave to Withdraw Pursuant to Joint Rule 310

Oil/Fuel

Enacted	LD 74	An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board	PUBLIC 61
	LD 1652	Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a Late-filed Major Substantive Rule of the Department of Environmental Protection	RESOLVE 25

Product Regulation

Enacted	LD 1814	An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs	PUBLIC 384
Not Enacted	LD 1845	An Act to Regulate Outdoor Lighting	Majority (ONTP) Report

Product Stewardship

Enacted	LD 1814	An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs	PUBLIC 384
Not Enacted	LD 127	An Act to Eliminate Television Recycling Fees for Charitable Entities	ONTP
	LD 964	An Act to Eliminate the Paint Stewardship Assessment Paid by Consumers	Leave to Withdraw Pursuant to Joint Rule 310

Recycling/Composting/Waste

Not Enacted	LD 295	An Act Regarding Plastic Pollution	CARRIED OVER
	LD 425	An Act to Lower the Environmental Impact of Consumers, Increase Food Safety and Strengthen Consumer Choice by Ending the Ban on Single-use Plastic Shopping Bags	Majority (ONTP) Report
	LD 572	An Act to Remove the 5 Cent Fee for Bags in Retail Stores	Report A (ONTP)
	LD 959	An Act to Prohibit Food Waste by Grocery Stores	ONTP
	LD 1009	An Act Regarding the Reduction and Recycling of Food Waste	CARRIED OVER
	LD 1418	An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations	CARRIED OVER
	LD 1645	An Act to Reduce Plastic Packaging Waste	Died Between Houses

Site Law

Enacted	LD 9	An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws	PUBLIC 45
Not Enacted	LD 1658	An Act to Verify the Reduction of Global Greenhouse Gas Emissions for Certain Electric Transmission Line Projects	ONTP
	LD 1847	An Act to Modify the Visual Impact Standards for Offshore Wind Port Development and Establish Labor Standards for Wind Power Projects	Veto Sustained

Solar Energy

Enacted	LD 466	Resolve, to Evaluate Options for the Recycling of Solar Panels and Wind Turbine Blades	RESOLVE 52
	LD 826	An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning	PUBLIC 300

Storm Water

Enacted	LD 216	An Act to Amend the Laws Governing Storm Water Management to Provide an Exemption for Trails for Hiking and Other Similar Activities	PUBLIC 8
	LD 276	An Act to Assist Municipalities in Preventing Damage from Storm Water	PUBLIC 65
Not Enacted	LD 1570	An Act to Create the Storm Water Infrastructure Repair and Replacement Fund	ONTP

Subdivisions

Enacted	LD 596	An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review	PUBLIC 79
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Waste Discharges

Enacted	LD 508	Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities	RESOLVE 59
Not Enacted	LD 188	An Act to Require the Department of Environmental Protection to Pay for Certain Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances	ONTP

Waste Facilities

Enacted	LD 718	An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill	PUBLIC 283
Not Enacted	LD 1330	Resolve, to Ensure Compliance by the State with an Agreement Regarding the Operation of the Landfill in Old Town	Majority (ONTP) Report
	LD 1660	An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling	CARRIED OVER

Waste Management

Enacted	LD 28	An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program	PUBLIC 57
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	LD 466	Resolve, to Evaluate Options for the Recycling of Solar Panels and Wind Turbine Blades	RESOLVE 52
	LD 718	An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill	PUBLIC 283
	LD 826	An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning	PUBLIC 300
	LD 1172	An Act to Reestablish Annual Reporting on Solid Waste in Maine	PUBLIC 331
Not Enacted	LD 295	An Act Regarding Plastic Pollution	CARRIED OVER
	LD 1009	An Act Regarding the Reduction and Recycling of Food Waste	CARRIED OVER
	LD 1171	An Act to Raise Funding to Support Waste Reduction, Reuse, Recycling and Composting in Maine	ONTP
	LD 1660	An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling	CARRIED OVER

Water

Not Enacted	LD 306	An Act Related to Water	CARRIED OVER
	LD 1081	An Act to Impose a Fee on Commercial Water Withdrawn from Lakes and Ponds to Fund Conservation Efforts and Prohibit a Fee on the Sale of Water Withdrawn from a Lake or Pond	ONTP
	LD 1641	Resolve, to Further Study the Role of Water as a Resource	Died On Adjournment
	LD 1723	An Act to Prevent the Automatic Transfer of Permits and Contracts in a Sale of Assets of a Water Export Company Without Review and to Amend the Membership of the Water Resources Planning Committee and the Maine Public Drinking Water Commission	ONTP

Water Quality

Enacted	LD 164	An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects	PUBLIC 426
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LD 276 An Act to Assist Municipalities in Preventing Damage from Storm Water PUBLIC 65

LD 1926 An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River PUBLIC 295

Waterbodies

Enacted

LD 1926 An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River PUBLIC 295

Wind Power

**Not
Enacted**

LD 1847 An Act to Modify the Visual Impact Standards for Offshore Wind Port Development and Establish Labor Standards for Wind Power Projects Veto Sustained

DIGEST OF BILLS
131ST LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS – 2023

Joint Standing Committee on Environment and Natural Resources

Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
								Law	Ch		
ENR	9	An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws	Reported Out	OTP-AM		4/11/23	Enacted	PL	45		S1
ENR	10	An Act to Amend the Laws Governing Invasive Aquatic Plants	Reported Out	OTP		2/13/23	Enacted	PL	5		R1
ENR	27	An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements	Reported Out	OTP		3/28/23	Enacted	PL	28		S1
ENR	28	An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program	Reported Out	OTP-AM/OTP-AM		4/18/23	Enacted	PL	57		S1
ENR	29	An Act to Reduce Air Emissions at Petroleum Storage Facilities	Reported Out	LTW		5/19/23	Leave to Withdraw Pursuant to Joint Rule 310				S1
ENR	54	An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	71	Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection	Reported Out	OTP/OTP-AM		4/18/23	Emergency Finally Passed	RESLV	10		S1
ENR	74	An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board	Reported Out	OTP-AM		4/18/23	Enacted	PL	61		S1
ENR	127	An Act to Eliminate Television Recycling Fees for Charitable Entities	Reported Out	ONTP		2/9/23	Ought Not to Pass Pursuant to Joint Rule 310				R1

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Joint Standing Committee on Environment and Natural Resources

Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
								Law	Ch		
ENR	134	An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers	Reported Out	OTP-AM		4/18/23	Emergency Enacted	PL	48		S1
ENR	164	An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects	Reported Out	OTP-AM		4/18/23	Enacted	PL	426		S1
ENR	169	An Act to Amend and Clarify the Laws Governing Perfluoroalkyl and Polyfluoroalkyl Substances and Other Harmful Chemicals	Reported Out	LTW		4/20/23	Leave to Withdraw Pursuant to Joint Rule 310				S1
ENR	171	An Act to Provide That All Rules Regarding Perfluoroalkyl and Polyfluoroalkyl Substances Are Major Substantive Rules	Reported Out	LTW		4/20/23	Leave to Withdraw Pursuant to Joint Rule 310				S1
ENR	188	An Act to Require the Department of Environmental Protection to Pay for Certain Water Tests for Perfluoroalkyl and Polyfluoroalkyl Substances	Reported Out	ONTP		3/15/23	Ought Not to Pass Pursuant to Joint Rule 310				R1
ENR	216	An Act to Amend the Laws Governing Storm Water Management to Provide an Exemption for Trails for Hiking and Other Similar Activities	Reported Out	OTP		2/16/23	Enacted	PL	8		R1
ENR	217	An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances	Reported Out	OTP-AM		5/22/23	Enacted	PL	138		S1
ENR	219	An Act Regarding Appeals of License or Permit Decisions of the Commissioner of Environmental Protection	Reported Out	OTP-AM		5/22/23	Enacted	PL	139		S1
ENR	242	An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law	Reported Out	ONTP		5/15/23	Ought Not to Pass Pursuant to Joint Rule 310				S1

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Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
								Law	Ch		
ENR	276	An Act to Assist Municipalities in Preventing Damage from Storm Water	Reported Out	OTP-AM		4/19/23	Enacted	PL	65		S1
ENR	277	An Act Regarding Perfluoroalkyl and Polyfluoroalkyl Substances	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	295	An Act Regarding Plastic Pollution	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	304	An Act to Establish Statewide Standards for Perfluoroalkyl and Polyfluoroalkyl Substances	Reported Out	ONTP		5/1/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	306	An Act Related to Water	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	319	An Act to Amend Maine's Underground Oil Storage Tank Laws	Reported Out	OTP		3/2/23	Enacted	PL	16		R1
ENR	392	Resolve, Regarding Legislative Review of Portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection	Reported Out	OTP		3/15/23	Finally Passed	RESLV	8		S1
ENR	400	Resolve, Directing the Department of Environmental Protection to Examine Regulatory Requirements for Outdoor Wood Boilers	Reported Out	OTP-AM		4/24/23	Finally Passed	RESLV	13		S1
ENR	425	An Act to Lower the Environmental Impact of Consumers, Increase Food Safety and Strengthen Consumer Choice by Ending the Ban on Single-use Plastic Shopping Bags	Reported Out	ONTP/OTP		3/28/23	Accepted Majority (ONTP) Report				S1
ENR	466	Resolve, to Evaluate Options for the Recycling of Solar Panels and Wind Turbine Blades	Reported Out	OTP-AM		6/1/23	Finally Passed	RESLV	52		S1
ENR	478	An Act to Improve Coastal Sand Dune Restoration Projects	Reported Out	OTP-AM		5/1/23	Enacted	PL	97		S1
ENR	508	Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities	Reported Out	OTP- AM/ONTP		5/22/23	Finally Passed	RESLV	59		S1

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Joint Standing Committee on Environment and Natural Resources

Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
								Law	Ch		
ENR	572	An Act to Remove the 5 Cent Fee for Bags in Retail Stores	Reported Out	ONTP/OTP/ OTP-AM		4/19/23	Accepted Report A (ONTP)				S1
ENR	596	An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review	Reported Out	OTP		4/25/23	Enacted	PL	79		S1
ENR	627	An Act to Promote Clean and Affordable Maine-sourced Bioenergy by Amending the Law Regarding Outdoor Wood Boilers and Outdoor Pellet Boilers	Reported Out	ONTP		3/9/23	Ought Not to Pass Pursuant to Joint Rule 310				R1
ENR	718	An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill	Reported Out	OTP- AM/OTP- AM		6/14/23	Emergency Enacted	PL	283		S1
ENR	826	An Act to Provide for the Management of the Waste Components of a Solar Energy Development upon Decommissioning	Reported Out	OTP-AM		6/1/23	Enacted	PL	300		S1
ENR	865	An Act to Clarify the Roles and Responsibilities of the Board of Environmental Protection by Adjusting the Requirements for Certain Hearings and for Certain Agencies by Adjusting the Requirements for Cost-Benefit Analysis	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	928	RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Right to a Clean and Healthy Environment	Reported Out	OTP- AM/ONTP	Carried on floor	4/11/23					S1
ENR	959	An Act to Prohibit Food Waste by Grocery Stores	Reported Out	ONTP		3/28/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	964	An Act to Eliminate the Paint Stewardship Assessment Paid by Consumers	Reported Out	LTW		3/15/23	Leave to Withdraw Pursuant to Joint Rule 310				R1

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ENR	972	Resolve, Directing the Department of Environmental Protection to Evaluate Strategies for Improving the Returnable Beverage Container Laws	Reported Out	ONTP		6/6/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1009	An Act Regarding the Reduction and Recycling of Food Waste	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	1058	An Act to Advance Greenhouse Gas Removal as an Economic Development Strategy in Maine	Reported Out	ONTP		5/1/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1081	An Act to Impose a Fee on Commercial Water Withdrawn from Lakes and Ponds to Fund Conservation Efforts and Prohibit a Fee on the Sale of Water Withdrawn from a Lake or Pond	Reported Out	ONTP		5/15/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1126	Resolve, to Increase Community Action Grants	Reported Out	ONTP		4/18/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1171	An Act to Raise Funding to Support Waste Reduction, Reuse, Recycling and Composting in Maine	Reported Out	ONTP		5/1/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1172	An Act to Reestablish Annual Reporting on Solid Waste in Maine	Reported Out	OTP- AM/ONTP		5/22/23	Enacted	PL	331		S1
ENR	1214	An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination	Reported Out	ONTP		5/15/23	Ought Not to Pass Pursuant to Joint Rule 310				S1

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Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
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ENR	1246	An Act to Include Endangered and Threatened Species Habitat in the Definition of "Significant Wildlife Habitat" Under the Natural Resources Protection Act	Reported Out	OTP-AM		5/22/23	Enacted	PL	156		S1
ENR	1273	An Act to Exempt Some Businesses from Certain Laws Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in Accordance with the Size of the Business	Reported Out	ONTP		5/15/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1330	Resolve, to Ensure Compliance by the State with an Agreement Regarding the Operation of the Landfill in Old Town	Reported Out	ONTP/OTP-AM		6/14/23	Accepted Majority (ONTP) Report				S1
ENR	1363	An Act to Support Extraction of Common Minerals by Amending the Maine Metallic Mineral Mining Act	Reported Out	OTP-AM/ONTP		6/7/23	Enacted	PL	398		S1
ENR	1393	Resolve, to Establish the Commission to Examine Programs and Policies Regarding Natural Resources and Environmental Protection	Reported Out	ONTP		5/1/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1411	An Act to Enhance Reporting by Certain Agencies Regarding Greenhouse Gas Emissions	Reported Out	OTP-AM/ONTP		5/22/23	Enacted	PL	234		S1
ENR	1418	An Act Concerning Single-use Disposable Water Bottles and Water Refill Stations	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	1433	An Act to Exclude Pegmatites from the Definition of "Metallic Mineral"	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1470	An Act Regarding Transfers of Land in Resource Protection Areas	Reported Out	ONTP		5/1/23	Ought Not to Pass Pursuant to Joint Rule 310				S1

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Comm	LD	Title	Comm Action	Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws Law	Ch	Analyst Note?	Session
ENR	1471	An Act to Amend Provisions of the Maine Metallic Mineral Mining Act	Carry Over Approved		Carried in Comm	7/25/23				S1
ENR	1473	An Act to Protect Certain Unfiltered Drinking Water Sources	Reported Out	OTP-AM		6/5/23	Enacted	PL	264	S1
ENR	1476	An Act to Amend the Definition of "Metallic Mineral" in the Maine Metallic Mineral Mining Act	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310			S1
ENR	1482	An Act to Impose a Moratorium on Open-pit Rock Quarry Excavation	Reported Out	LTW		5/19/23	Leave to Withdraw Pursuant to Joint Rule 310			S1
ENR	1495	Resolve, Establishing the Commission to Study the Role of Critical Minerals as a Resource in the State	Reported Out	OTP-AM		6/6/23	Died On Adjournment			S1
ENR	1508	An Act to Ensure a Strategic Approach to Maine's Energy Transition by Imposing a Moratorium on Lithium Mining	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310			S1
ENR	1537	An Act to Amend the Laws Relating to the Prevention of Perfluoroalkyl and Polyfluoroalkyl Substances Pollution and to Provide Additional Funding	Carry Over Approved		Carried in Comm	7/27/23				S1
ENR	1564	An Act to Eliminate Metallic Mineral Mining Activities Without a Permit	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310			S1
ENR	1570	An Act to Create the Storm Water Infrastructure Repair and Replacement Fund	Reported Out	ONTP		5/17/23	Ought Not to Pass Pursuant to Joint Rule 310			S1

DIGEST OF BILLS
131ST LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS – 2023

Joint Standing Committee on Environment and Natural Resources

Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws Law Ch	Analyst Note?	Session
ENR	1621	An Act Regarding Environmental Justice	Reported Out	OTP- AM/OTP- AM	Carried On Approps Table	6/2/23				S1
ENR	1641	Resolve, to Further Study the Role of Water as a Resource	Reported Out	OTP-AM		5/22/23	Died On Adjournment			S1
ENR	1645	An Act to Reduce Plastic Packaging Waste	Reported Out	OTP- AM/ONTP		6/6/23	Died Between Houses			S1
ENR	1652	Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a Late-filed Major Substantive Rule of the Department of Environmental Protection	Reported Out	OTP/ONTP		5/18/23	Emergency Finally Passed	RESLV	25	S1
ENR	1658	An Act to Verify the Reduction of Global Greenhouse Gas Emissions for Certain Electric Transmission Line Projects	Reported Out	ONTP		5/15/23	Ought Not to Pass Pursuant to Joint Rule 310			S1
ENR	1660	An Act to Provide That Advanced Recycling Facilities Are Subject to Solid Waste Regulation and That Advanced Recycling Does Not Constitute Recycling	Carry Over Approved		Carried in Comm	7/25/23				S1
ENR	1723	An Act to Prevent the Automatic Transfer of Permits and Contracts in a Sale of Assets of a Water Export Company Without Review and to Amend the Membership of the Water Resources Planning Committee and the Maine Public Drinking Water Commission	Reported Out	ONTP		5/17/23	Ought Not to Pass Pursuant to Joint Rule 310			S1
ENR	1814	An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs	Reported Out	OTP- AM/ONTP		6/14/23	Enacted	PL	384	S1
ENR	1839	An Act to Study a Permitting Process for and Establish a Moratorium on Certain Tall Structures	Reported Out	ONTP		5/23/23	Ought Not to Pass Pursuant to Joint Rule 310			S1

DIGEST OF BILLS
131ST LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS – 2023

Joint Standing Committee on Environment and Natural Resources

Comm	LD	Title	Comm Action		Carried over?	Date of last Comm Action	Final Disposition	Enacted Laws		Analyst Note?	Session
								Law	Ch		
ENR	1845	An Act to Regulate Outdoor Lighting	Reported Out	ONTP/OTP- AM		6/20/23	Accepted Majority (ONTP) Report				S1
ENR	1847	An Act to Modify the Visual Impact Standards for Offshore Wind Port Development and Establish Labor Standards for Wind Power Projects	Reported Out	OTP- AM/ONTP		6/6/23	Veto Sustained				S1
ENR	1908	An Act to Enact the Safe Cosmetics Act	Carry Over Approved		Carried in Comm	7/25/23					S1
ENR	1909	An Act to Modernize Maine's Beverage Container Redemption Law	Reported Out	OTP-AM		6/21/23	Enacted	PL	482		S1
ENR	1910	An Act to Amend the Returnable Beverage Container Program	Reported Out	ONTP		6/6/23	Ought Not to Pass Pursuant to Joint Rule 310				S1
ENR	1926	An Act to Impose a Moratorium on New Point Source Waste Discharge Licenses on the Lower Presumpscot River	Reported Out	OTP- AM/ONTP		6/7/23	Enacted	PL	295		S1
ENR	1960	An Act to Support Farming in Maine by Extending the Deadline for Manufacturers of Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances to Report on Those Products	Carry Over Approved		Carried in Comm	7/25/23					S1

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LD 9 An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws

ENACTED LAW SUMMARY

Public Law 2023, chapter 45 exempts permit by rule applications under the site location of development laws from the 20-day processing requirement under current law and instead requires the Commissioner of Environmental Protection to decide whether such an application meets applicable permit by rule requirements within 90 calendar days of notifying the applicant that the application has been accepted unless the commissioner establishes a different time period for the decision pursuant to the Maine Revised Statutes, Title 38, section 344-B.

LD 10 An Act to Amend the Laws Governing Invasive Aquatic Plants

ENACTED LAW SUMMARY

Public Law 2023, chapter 5 includes in the definition for certain conservation and environmental protection laws of "invasive aquatic plant" all Myriophyllum species that are nonindigenous to the State, as well as all Trapa species, all Cabomba species and the plants water soldier, giant salvinia, swollen bladderwort and starry stonewort. Sales of invasive aquatic plants are prohibited in the State under current law. Public Law 2023, chapter 5 also prohibits the sale in the State of any plant of the genus Myriophyllum that is indigenous to the State.

LD 27 An Act to Align Maine's Lead Abatement Law with Federal Definitions and to Clarify Lead Abatement Licensing and Certification Requirements

ENACTED LAW SUMMARY

Public Law 2023, chapter 28 changes the definition of "residential dwelling" in the laws governing lead abatement. It also removes the exemption that provides that a person 18 years of age or older who owns and personally occupies a dwelling unit in which a resident child has been identified as lead-poisoned need not obtain licensing and certification to perform abatement activities within that dwelling unit, as long as the person completes any training required by the Department of Health and Human Services.

LD 28 An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program

ENACTED LAW SUMMARY

Public Law 2023, chapter 57 provides that the Board of Environmental Protection may adopt or amend rules relating to the beneficial use of solid waste. Those rules are designated major

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substantive rules except for certain rules adopting or amending screening levels for beneficial use, which are designated routine technical rules.

LD 71 Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection

ENACTED LAW SUMMARY

Resolve 2023, chapter 10 authorizes the Department of Environmental Protection to finally adopt Chapter 171: Control of Petroleum Storage Facilities, a provisionally adopted major substantive rule of the department that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Resolve 2023, chapter 10 was finally passed as an emergency measure effective May 8, 2023.

LD 74 An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board

ENACTED LAW SUMMARY

Public Law 2023, chapter 61 shifts responsibility for appeals of certain insurance claims-related decisions from the Clean-up and Response Fund Review Board to the Board of Environmental Protection. It also provides procedures for vacancies on the board, sets term limits for board members, reduces the number of required meetings and directs the board to choose a chair every 2 years.

LD 134 An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers

ENACTED LAW SUMMARY

Public Law 2023, chapter 48 amends the beverage container redemption laws to increase the amount of the reimbursement of beverage container handling costs paid by an initiator of deposit to a dealer or redemption center from 4 1/2¢ per container to 5 1/2¢ per container beginning May 1, 2023 and to 6¢ per container beginning September 1, 2023.

Public Law 2023, chapter 48 was enacted as an emergency measure effective May 5, 2023.

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LD 164 An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects

ENACTED LAW SUMMARY

Public Law 2023, chapter 426 incorporates a number of changes and clarifications to the Lake Restoration and Protection Fund under the Maine Revised Statutes, Title 38, section 480-N, including changing the name of the fund to the Lake Water Quality Restoration and Protection Fund, clarifying the types of projects that are eligible for 100% payment of eligible costs under the fund, clarifying the scope of fund expenditures not related to those projects and providing that the fund may receive money from any source, public or private. It also provides one-time funding of \$200,000 in fiscal year 2024-25 for projects that meet specific criteria and improve or maintain the quality of lake waters in the State.

LD 216 An Act to Amend the Laws Governing Storm Water Management to Provide an Exemption for Trails for Hiking and Other Similar Activities

ENACTED LAW SUMMARY

Public Law 2023, chapter 8 exempts from the storm water control requirements under the pollution control laws subject to the jurisdiction of the Board of Environmental Protection trails intended, constructed and managed for use by persons walking, snowshoeing, skiing or hiking.

LD 217 An Act to Support Manufacturers Whose Products Contain Perfluoroalkyl and Polyfluoroalkyl Substances

ENACTED LAW SUMMARY

Public Law 2023, chapter 138 extends the January 1, 2023 deadline for reporting the use of perfluoroalkyl and polyfluoroalkyl substances, or PFAS, in products for sale to January 1, 2025 and authorizes reporting the amount of total organic fluorine if the amount of each PFAS compound is not known and allows the amount of PFAS to be reported based on information provided by a supplier rather than testing. It clarifies the packaging exemption under the law regulating PFAS in products, exempts from PFAS reporting requirements manufacturers that employ 25 or fewer people, clarifies that the requirements and prohibitions of the law do not apply to used products or used product components and makes other technical clarifications to PFAS reporting requirements under the law. These changes to the law regulating PFAS in products are made retroactive to January 1, 2023.

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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.

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LD 319 An Act to Amend Maine's Underground Oil Storage Tank Laws

ENACTED LAW SUMMARY

Under current law, upon the expiration date of a manufacturer's warranty for certain underground oil storage tanks, the tank and its associated piping must be removed from service and properly abandoned, except that a double-walled underground oil storage tank may continue in service up to 10 years beyond the expiration of the warranty if certain testing is conducted to verify the integrity of the tank. Public Law 2023, chapter 16 removes the 10-year limitation, thereby allowing such double-walled tanks to continue in service indefinitely as long as the same testing requirements are satisfied.

LD 392 Resolve, Regarding Legislative Review of Portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a Major Substantive Rule of the Department of Environmental Protection

ENACTED LAW SUMMARY

Resolve 2023, chapter 8 authorizes the Department of Environmental Protection to finally adopt portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a provisionally adopted major substantive rule of the department that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

LD 400 Resolve, Directing the Department of Environmental Protection to Examine Regulatory Requirements for Outdoor Wood Boilers

ENACTED LAW SUMMARY

Resolve 2023, chapter 13 directs the Department of Environmental Protection to review the laws and rules governing outdoor wood boilers and rules adopted by the department relating to emission standards, stack height requirements and setback requirements for new installations of outdoor wood boilers to determine if stack height and setback requirements for new installations should be amended, taking into consideration the emission standards of the most recent models of outdoor wood boilers. It directs the department to submit a report regarding the review to the Joint Standing Committee on Environment and Natural Resources, which may submit a bill relating to the report to the Second Regular Session of the 131st Legislature.

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LD 466 Resolve, to Evaluate Options for the Recycling of Solar Panels and Wind Turbine Blades

ENACTED LAW SUMMARY

Resolve 2023, chapter 52 directs the Department of Environmental Protection to evaluate whether solar panels and wind turbine blades meet the criteria in the Maine Revised Statutes, Title 38, section 1772, subsection 2 to be a candidate for a product stewardship program. The evaluation must include collection of information regarding facilities operating or planned for operation in the eastern United States that can recycle solar panels or wind turbine blades and identification of the recycling costs for those materials for customers of those facilities. The department is directed to include its findings and recommendations from the evaluation, including any proposed legislation, in the annual report required by Title 38, section 1772, subsection 1 and due February 15, 2024.

LD 478 An Act to Improve Coastal Sand Dune Restoration Projects

ENACTED LAW SUMMARY

Public Law 2023, chapter 97 amends the Natural Resources Protection Act to provide that the Department of Environmental Protection is allowed to authorize through a permit or a permit by rule a coastal sand dune system restoration project that uses allowable stabilization materials for the planting of native dune vegetation as long as the project meets certain statutory requirements and satisfies all other applicable requirements for the permit or permit by rule. "Allowable stabilization materials" is defined to mean natural, plant-based biodegradable or compostable fabrics, erosion control blankets, logs or rolls made from coir, jute, straw, polylactic acid polymers or other similar materials, including such materials that contain or use gravel or cobble, discarded holiday trees, other trees fallen or washed up in proximity to the site and stakes or anchors used to secure any of these materials. The use or placement of such materials within a coastal sand dune system in accordance with an authorized permit or permit by rule is not considered a permanent structure under the Natural Resources Protection Act.

LD 508 Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities

ENACTED LAW SUMMARY

Resolve 2023, chapter 59 directs the Department of Environmental Protection to conduct a review of applicable state laws and rules regulating the licensing of waste discharge from proposed finfish aquaculture facilities, including any waste discharge modeling requirements or standards, and of prior and current waste discharge monitoring requirements imposed on licensed finfish aquaculture facilities since 2004, including identification of any monitoring requirements imposed on those facilities that were subsequently removed and the basis for the removal. It also directs the department to develop recommendations for the establishment of minimum criteria or standards

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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.

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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

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and a time series analysis of net greenhouse gas emissions; and an evaluation of sector-specific progress made toward meeting those reductions.

LD 1473 An Act to Protect Certain Unfiltered Drinking Water Sources

ENACTED LAW SUMMARY

Public Law 2023, chapter 264 provides that lots or portions of lots that are within the watershed of a water source that is located in the City of Lewiston or the City of Auburn and that is used to provide drinking water by a water utility that has received a waiver from filtration pursuant to federal regulations are exempt from certain restrictions related to affordable housing density, the allowed number of dwelling units and accessory dwelling units.

Public Law 2023, chapter 264 also directs the drinking water program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, in coordination with the Department of Environmental Protection, to evaluate state law and rules designed to protect the water quality of water sources and their related watersheds that are used to provide drinking water by a water utility that has received a waiver from filtration pursuant to 40 Code of Federal Regulations, Sections 141.70 to 141.76, as determined by the Department of Health and Human Services, and to identify any necessary changes to state law or rules or any other actions that can be implemented to strengthen the protections for those water sources and watersheds. On or before January 15, 2024, the program must submit to the Joint Standing Committee on Environment and Natural Resources a report summarizing its evaluation and providing any recommendations, including any proposed legislation, resulting from the evaluation, and the committee may report out related legislation.

LD 1652 Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a Late-filed Major Substantive Rule of the Department of Environmental Protection

ENACTED LAW SUMMARY

Resolve 2023, chapter 25 authorizes the Department of Environmental Protection to finally adopt portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a provisionally adopted major substantive rule of the department that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period.

Resolve 2023, chapter 25 was finally passed as an emergency measure effective June 5, 2023.

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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.

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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.