
*Summary of the First Regular and First Special Sessions
of the 131st Maine Legislature*

Prepared for:



Prepared by:



The First Regular Session of the 131st Maine Legislature convened Wednesday, December 7, 2022, and adjourned sine die Thursday, March 30, 2023. The general effective date for nonemergency laws passed in the First Regular Session of the 131st Legislature is Thursday, June 29, 2023.

The First Special Session of the 131st Legislature convened Friday, March 31, 2023 and adjourned sine die on July 25, 2023. The general effective date for nonemergency laws passed in the First Special Session of the 131st Legislature is October 23, 2023.

Laws Passed in First Regular Session

ENVIRONMENT AND NATURAL RESOURCES

[LD 319](#) An Act To Amend Maine's Underground Oil Storage Tank Laws
[Public Law Chapter 16](#)

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. This law 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.

Laws Passed in First Special Session

AGRICULTURE, CONSERVATION AND FORESTRY

[LD 289](#) An Act to Amend the Laws Governing the Advisory Committee on the Fund to Address PFAS Contamination
[Public Law Chapter 212](#)

This law amends the Advisory Committee on the Fund To Address PFAS Contamination. In order to develop recommendations for the department, the advisory committee may form working groups that include and seek input from subject matter experts from the public and private sectors to deliberate issues relating to the purposes of the fund, including, but not limited to, health monitoring, short-term financial aid for farmers, research priorities, solar siting, long-term environmental monitoring and land acquisition.

APPROPRIATIONS AND FINANCIAL AFFAIRS

[LD 258](#) An Act Making Unified Appropriations And Allocations From The General Fund And Other Funds For The Expenditures Of State Government And Changing Certain Provisions

Of The Law Necessary To The Proper Operations Of State Government For The Fiscal Years Ending June 30, 2023, June 30, 2024 And June 30, 2025

[Public Law Chapter 412](#)

PART KKKKK requires the transfer of \$12,000,000 in fiscal year 2022-23 from the unappropriated surplus of the General Fund to the Multimodal Ports and Marine program, Other Special Revenue Funds account in the Department of Transportation to support the infrastructure necessary to deploy and connect floating offshore wind turbines in the Gulf of Maine.

CRIMINAL JUSTICE AND PUBLIC SAFETY

[LD 1353](#) An Act to Require the Technical Building Codes and Standards Board to Adopt the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems as an Alternative Standard Under the Maine Uniform Building and Energy Code

[Public Law Chapter 292](#)

This law requires the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board to adopt the standards for indoor ventilation set forth in the Canadian Standards Association Standard for Residential Mechanical Ventilation Systems, CAN/CSA-F326-M91, as an alternative path to comply with the ASHRAE Standard 62.2 Ventilation and Acceptable Indoor Air Quality in Low Rise Residential Buildings under the Maine Uniform Building and Energy Code.

EDUCATION AND CULTURAL AFFAIRS

[LD 1283](#) Resolve, To Reestablish The Task Force To Study The Creation Of A Comprehensive Career And Technical Education System

[Resolve Chapter 92](#)

This law reestablishes the Task Force to Study the Creation of a Comprehensive Career and Technical Education System. The law changes the membership of the Task Force to require that one member represent a statewide association of career and technical education administrators and that one member be a Maine Community College System administrator.

[LD 1415](#) An Act To Expand Access To School Construction Funding

[Public Law Chapter 462](#)

This law does the following:

1. The State Board of Education, in administering funding for integrated, consolidated 9-16 educational facilities, shall allow the governing body of one school administrative unit with multiple high schools, instead of one high school or a regional high school, to apply for funding for an integrated, consolidated grade 9-16 educational facility under State Board of Education rules;

2. In fiscal year year 2024-2025, a school administrative unit is be eligible to apply for funding for both a major capital school construction project and an integrated, consolidated 9-16 educational facility project; and

3. The Commissioner of Education shall convene a stakeholder group to develop recommendations for the establishment and financing of the Maine Public School Construction Authority. The purpose of the new authority would be to finance elementary and secondary public school construction projects. The commissioner is required to submit a report regarding the recommendations of the stakeholder group to the Joint Standing Committee on Education and Cultural Affairs.

[LD 1458](#) An Act To Increase Funding For The Maine School Of Science And Mathematics
[Public Law Chapter 464](#)

This law appropriates funding to support the Maine School of Science and Mathematics and provides that students from the State may attend the school without paying the cost of room and board. The Board of Trustees of the Maine School of Science and Mathematics must annually submit a sustainability report to the joint standing committee of the Legislature having jurisdiction over education matters.

[LD 1472](#) Resolve, Directing The Department Of Education And The Maine Municipal Bond Bank To Amend Their Rules Regarding The Maine School Facilities Finance Program And The School Revolving Renovation Fund
[Resolve Chapter 44](#)

This law directs the Department of Education and the Maine Municipal Bond Bank to amend their rules governing the Maine School Facilities Finance Program and the School Revolving Renovation Fund to increase the maximum total loans from the fund for repair, renovation and improvement projects for Priority One, Priority Two, Priority Three, Priority Four, and Priority Five projects for a school building from \$4,000,000 to \$8,000,000 and to increase the maximum loan amount from the fund to address each priority level in a school building from \$1,000,000 to \$2,000,000 within any 5-year period.

[LD 1556](#) An Act To Provide A Private Support Organization For The Maine Maritime Academy
[Public Law Chapter 278](#)

This law allows the President of the Maine Maritime Academy to designate a nonprofit organization as the private support organization for the Maine Maritime Academy to organize and foster support for the Maine Maritime Academy and its programs.

ENERGY, UTILITIES AND TECHNOLOGY

[LD 187](#) An Act to Eliminate the Energy Efficiency and Renewable Resource Fund and to Provide Needs-based Low-income Assistance
[Public Law Chapter 306](#)

This law requires alternative compliance payments made by competitive electricity providers to the Public Utilities Commission to be used by the commission to provide needs-based low income assistance in accordance with the Maine Revised Statutes, Title 35-A, section 3214, subsection 2. It also repeals the law establishing the Energy Efficiency and Renewable Resource Fund.

[LD 327](#) An Act To Provide Maine Ratepayers With Equitable Access To Interconnection Of Distributed Generation Resources
[Public Law Chapter 307](#)

This law requires the commission to monitor solar energy development and market trends, and provide an annual summary report regarding its monitoring activities to the joint standing committee of the Legislature having jurisdiction over energy matters.

The commission must adopt interconnection rules applicable to solar resources and to energy storage systems within 6 months of the effective date of this legislation. The rules must reflect nationally recognized best practices and prioritize interconnection of solar resources and energy storage systems owned by customers to offset on-site load.

The law creates a position within the Public Utilities Commission for an interconnection ombudsman that will track and facilitate interconnection of distributed generation. The position is funded primarily by fees paid by persons seeking interconnection. The commission must make a good faith effort to appoint an interconnection ombudsman within 12 months of the effective date of this legislation.

The law requires the commission to contract with an expert to conduct an evaluation and issue a report addressing whether treating distributed generation resources that use the tariff rate program as load-reducing resources will provide greater value to all ratepayers than treating those resources as wholesale generation resources, and whether the tariff rate established by the Maine Revised Statutes, Title 35-A, section 3209-B, subsection 5 has been implemented in a way that maximizes the value of the portfolio of the resources to all ratepayers. The commission must provide a copy of the expert's report and a description of any actions the commission recommends with respect to the findings in the report to the joint standing committee of the Legislature having jurisdiction over energy matters by September 1, 2024.

The law requires the commission to establish a working group to collaborate to prevent and resolve disputes relating to the implementation of the State's small generator interconnection procedures for Level 1 and Level 2 facilities. The working group must meet monthly for its first year and at least quarterly thereafter until the working group submits its final report. The working group's final report must be submitted to the joint standing committee of the Legislature having jurisdiction over energy matters by December 6, 2025.

[LD 698](#) An Act To Reduce The Cost Of Energy In Maine And Reduce Greenhouse Gas Emissions Through The Effective Use Of Renewably Sourced Gas
[Public Law Chapter 222](#)

This law repeals the law establishing the legislative findings in the Maine Energy Cost Reduction Act. It requires the Public Utilities Commission to monitor proceedings at the Federal Energy Regulatory Commission and intervene and participate in those proceedings related to interstate natural gas transmission capacity in New England and the Northeast that could affect natural gas prices in the State if the commission believes that intervention and participation will best represent the interests of the State's electric and gas ratepayers.

The law repeals the section of law that prohibits the commission from executing a contract for physical energy storage after June 1, 2017 and a contract for energy cost reduction after December 31, 2020.

The law provides that a gas utility may petition the commission to utilize renewably sourced gas, and the commission may authorize the use of renewably sourced gas upon a finding that the utility's proposed use of the renewably sourced gas is safe and reliable, that its use can be provided to customers at a just and reasonable rate and that it may reduce greenhouse gas emissions to meet the greenhouse gas emissions reduction levels. It also defines "renewably sourced gas."

The law requires the commission to issue a request for information after consultation with the Office of the Public Advocate, the Governor's Energy Office and the Efficiency Maine Trust regarding reasonable opportunities for the commission to explore and consider engaging in the execution of an energy cost reduction contract or a physical energy storage contract. The commission's request for information must also seek identification of existing and near-term replacement energy sources for natural gas in commercial and industrial uses, including when the replacement energy sources are expected to be available, the cost of those replacement energy sources and the steps needed to develop a cost-effective and reliable supply of such replacement energy sources. The commission must submit a report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2024 that includes a summary of the responses the commission received from its request for information, any actions taken by the commission as a result of the information received and any recommendations.

[LD 924](#) Resolve, to Provide Legislative Approval of the Transmission Project Selected by the Public Utilities Commission Pursuant to the Northern Maine Renewable Energy Development Program
[Resolve Chapter 66](#)

The Legislature finds that the 1,200-megawatt capacity, 345-kilovolt transmission line and associated interconnection facilities approved by the Public Utilities Commission will allow the State to achieve the objectives of the Northern Maine Renewable Energy Development Program, provides that the Legislature approves the construction of the transmission line pursuant to the Maine Revised Statutes, Title 35-A,

section 3132, subsection 6-C. It specifies that the Legislature is not providing the approval for the transmission line to cross or utilize designated public lands.

[LD 952](#) Resolve, To Create A 21st-century Electric Grid
[Resolve Chapter 67](#)

This law directs the Governor's Energy Office to conduct a request for proposals to hire a 3rd-party consultant to conduct a 2-part study for the design of a distribution system operator in the State. The distribution system operator must be designed to oversee integrated system planning for all electric grids in the State, including coordinating energy planning efforts across state agencies; operate all electric grids in the State to ensure optimum operations, efficiency, equity, reliability and customer service; administer an open and transparent market for distributed energy resources; and facilitate the achievement of the State's greenhouse gas reduction obligations and climate policies. In the consultant's initial study, the consultant must evaluate whether a distribution system operator could be designed to achieve a demonstrable reduction in electricity costs for customers, improved electric system reliability and performance in the State and accelerated achievement of the State's climate goals and growth of distributed energy resources. If the initial study finds that a distribution system operator could be designed to achieve the required objectives and the office agrees with the consultant's conclusion, the office must authorize the consultant to conduct the second part of the study to create a design proposal.

If the office does not authorize the consultant to conduct the second part of the study, the office must present the initial study to the joint standing committee of the Legislature having jurisdiction over energy matters within 60 days of the completion of the consultant's initial study.

If the office authorizes the second part of the study to create a design proposal, upon its completion, the office is required to prepare an analysis based on the consultant's design proposal and provide it to the joint standing committee of the Legislature having jurisdiction over energy matters by January 1, 2025.

[LD 1591](#) An Act To Promote Economic Reuse Of Contaminated Land Through Clean Energy
Development
[Public Law Chapter 321](#)

This law directs the Public Utilities Commission to initiate a competitive solicitation for energy and renewable energy credits equal to 5% of the retail electricity sales in this State for the period from January 1, 2021 to December 31, 2021 plus any amount contracted under previous procurements that the commission determines are unfulfilled. Projects eligible for the solicitation include Class IA resources that begin commercial operation on or after September 19, 2023 and for which a system impact study has been filed. Projects pairing such Class IA resources with an energy storage system are also eligible. The commission is directed to consider the expected effect of eligible Class IA resources on other renewable resources due to congestion and curtailment; to select only those eligible Class IA resources or combined projects for contracts that will benefit ratepayers; and to give a primary preference to those eligible Class

IA resources or combined projects that are located on contaminated lands and secondary preference to eligible Class IA resources or combined projects that minimize use of farmland that is not contaminated land and minimize use of forested land. The commission must use procured renewable energy credits to offset a standard-offer service provider's renewable resource portfolio requirements.

The law also requires the Governor's Energy Office, in consultation with the commission, to review the impacts of the State's renewable resources portfolio requirements and submit a report to the joint standing committee of the Legislature having jurisdiction over energy matters by March 31, 2024 and every 3 years thereafter.

[LD 1724](#) An Act To Enact The Beneficial Electrification Policy Act
[Public Law Chapter 328](#)

The law does the following.

1. Amends the definition of "beneficial electrification" to include a process.
2. Allows the Governor's Energy Office to petition the Public Utilities Commission to procure energy from renewable resources and allows the commission to pay for the costs associated with the office's petition.
3. Requires the commission to evaluate a petition submitted by the office and allows the commission to initiate a competitive solicitation to approve one or more contracts for energy from renewable resources.
4. Directs the Efficiency Maine Trust to develop a 3-year beneficial electrification plan as a part of its triennial plan and allows the commission to pay for the costs associated with implementing the beneficial electrification plan.
5. Requires, to the extent possible through readily available information, the office, the commission and the trust to monitor beneficial electrification activities, trends and costs and benefits to ratepayers.
6. Requires the commission, the office and the trust to include information on beneficial electrification activities in each entity's annual report to the Legislature.
7. Directs the commission to conduct a study of how to cost-effectively provide consumer financing of beneficial electrification products, including products for energy efficiency, home or business energy storage, electric vehicle charging equipment and other distributed energy products. The commission must submit a report on the study to the Joint Standing Committee on Energy, Utilities and Technology by January 5, 2024.

[LD 1895](#) An Act Regarding The Procurement Of Energy From Offshore Wind Resources
[Public Law Chapter 481](#)

The law does the following.

1. An agreement for construction work in connection with the construction or alteration of an offshore wind terminal that is a public work to support an offshore wind power project must comply with

the requirements applicable to either a project labor agreement or community and workforce enhancement standards. If an offshore wind power project involves a public-private partnership that includes the lease of an offshore wind terminal owned or operated by the State, the department, authority or other agency responsible for granting the lease must require agreements that comply with the requirements applicable to either a project labor agreement or community and workforce enhancement standards as a condition of the lease for all on-site construction and fabrication of materials for the offshore wind power project.

2. This law makes the following changes to the Maine Wind Energy Act.

A. Provides new definitions for new terms.

B. It further does the following:

(1) Updates the State's goal for wind energy development in proximate federal waters;

(2) Makes changes to the Offshore Wind Research Consortium, including expanding the membership of the advisory board; and

(3) Makes changes to the Offshore Wind Research Consortium Fund, including adding payments from offshore wind power projects to the sources of money that come into the fund.

C. Establishes the Maine Offshore Wind Renewable Energy and Economic Development Program to further the development and use of offshore wind power projects in the Gulf of Maine. The program is administered by the Governor's Energy Office in collaboration with the Public Utilities Commission.

D. Establishes standards and requirements for offshore wind energy procurements.

E. Directs the Governor's Energy Office to establish a schedule for competitive solicitations and prepare requests for proposals for the development and construction of offshore wind power projects to meet the goals of the Maine Offshore Wind Renewable Energy and Economic Development Program in accordance with the following.

(1) Each solicitation must seek proposals for not less than approximately 600 megawatts of nameplate capacity or projects of sufficient size to enable cost competitive commercial-scale development. A solicitation developed in coordination with other states or entities may seek proposals for projects with a nameplate capacity of less than 600 megawatts if the coordinated solicitation is in an aggregate amount sufficient to enable cost-competitive commercial-scale development.

(2) The solicitation is not limited to floating offshore wind power projects and instead applies to offshore wind power projects generally, which may include floating offshore wind power projects.

(3) A solicitation must specify bidder criteria, including the submission of plans addressing stakeholder engagement; economic and community benefits; diversity, equity and inclusion in employment and contracting for the project; fisheries research, monitoring and mitigation; and environmental and wildlife research, monitoring, mitigation and conservation. The criteria must also require the submission of a fishing communities investment plan, an agreement by the responsible entity, if it is approved for a contract, to pay an amount per megawatt of capacity to the Offshore Wind Research Consortium Fund

and an agreement to provide financial and technical assistance necessary to implement the required plans.

(a) The payment amount required per megawatt of capacity under this law is equal to \$5,000 or more.

(b) This law also requires that the solicitation's bidder criteria include specific workforce requirements.

(4) A solicitation must be made available for public comment prior to issuance. The Governor's Energy Office is required to coordinate with various state agencies and seek public input with respect to various aspects of the solicitation.

F. The Public Utilities Commission must review the request for proposals and, upon finding that the request for proposals is reasonably likely to attract competitive bids, issue the request for proposals.

(1) The commission must issue the first request for proposals by the later of January 15, 2026, and 3 months after the federal Department of the Interior, Bureau of Ocean Energy Management first issues offshore wind power leases in the Gulf of Maine.

(2) The commission is required to select projects that are cost-effective for electric ratepayers over the term of the contract, taking into consideration potential quantitative and qualitative economic, environmental and other benefits to ratepayers. The commission must give priority to projects that meet certain criteria, including having generation facilities outside of Lobster Management Area 1 and agreements that are compliant with project labor agreements as described in federal law or community and workforce enhancement standards and are open to disadvantaged business enterprises and small businesses as defined in the Maine Wind Energy Act.

3. Establishes community and workforce enhancement standards as requirements and standards that contractors, subcontractors and individuals performing construction work on offshore wind power projects must meet. These include requirements and standards for:

A. A total compensation package that has a value at or above the Maine emerging industry compensation threshold as defined in the amendment;

B. Safety training for construction workers;

C. Under certain circumstances, the use of the services of contractors that use a hiring hall in order to meet workforce needs and provide regular employment opportunities first to members of the affected community and residents of the State and then to individuals in New England;

D. Registered apprenticeship programs;

E. Workers' compensation and unemployment insurance;

F. Hiring certain types of workers and prohibiting the hiring of independent contractors; and

G. Record keeping regarding construction workers performing construction work on the project.

4. Authorizes the commission to conduct one or more competitive solicitations for proposals for the development and construction of offshore wind energy transmission projects or other electric infrastructure projects to facilitate offshore wind energy development.

5. Establishes a visual impact standard to evaluate the effect of the development of an offshore wind terminal under the Site Location of Development Act and the Natural Resources Protection Act. It limits the number of permits for offshore wind terminals that the Department of Environmental Protection may approve to four.

6. Amends the definition of "expedited wind energy development" to include a port facility necessary to the proper operation and maintenance of an offshore wind power project.

7. Requires the Office of Tax Policy in the Department of Administrative and Financial Services, Bureau of Revenue Services, in consultation with the Department of Marine Resources and the Governor's Energy Office, to develop the Fishing Community Tax Incentive Program to provide tax credits to applicants for qualified investments in offshore wind power projects. The Office of Tax Policy is required to publicize and seek public comment on the proposed program before submitting it to the Joint Standing Committee on Taxation and the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2024.

[LD 1943](#) An Act Regarding Future Energy Procurements For Renewable Energy Development In Northern Maine
[Public Law Chapter 371](#)

This law directs the Public Utilities Commission to issue a request for proposals for the development and construction of renewable energy generation projects in northern Maine to maximize the use of the transmission line proposal selected in accordance with the Northern Maine Renewable Energy Development Program. The law provides that the commission must conduct the request for proposals and approval of contracts, if practicable, on a schedule to allow selected projects to seek inclusion in the Third Maine Resource Integration Study and the subsequent cluster system impact study.

[LD 1986](#) An Act Relating To Net Energy Billing And Distributed Solar And Energy Storage Systems
[Public Law Chapter 411](#)

This law does the following:

1. Establishes the Distributed Solar and Energy Storage Program to obtain and provide federal funding to foster the continued growth of cost-effective distributed solar facilities and energy storage systems in the State;

2. Limits participation in the kilowatt-hour credit and tariff rate net energy billing programs for distributed generation resources with a nameplate capacity greater than or equal to one megawatt and less than or equal to two megawatts to those resources that, on or before December 31, 2024, reach commercial operation by the date specified in the net energy billing agreement or by the date specified with an allowable modification to that agreement;

3. After December 31, 2023, limits participation in the tariff rate net energy billing program to distributed generation resources that are collocated with all of the distributed generation resource's net energy billing customers and those customers are subscribed to 100% of the facility's output. The limitation does not apply to a distributed generation resource with a net energy billing agreement that was executed on or before December 31, 2023;

4. Requires the Public Utilities Commission to annually determine the net energy billing costs and benefits of distributed generation under net energy billing programs for the previous year and to allocate to each investor-owned transmission and distribution utility its pro rata share of net energy billing costs. The allocation must be based on each utility's total retail kilowatt-hour energy sales to ratepayers that pay net energy billing costs;

5. Establishes parameters for a competitive solicitation and procurement to be conducted by the commission to procure energy or renewable energy credits from distributed generation resources that have met or are reasonably likely to meet the net energy billing eligibility criteria as determined by the commission or, for those resources that have a nameplate capacity of at least one megawatt and not more than two megawatts, are a member of a cluster study conducted by a transmission and distribution utility or are likely to receive required transmission approval from the New England independent system operator on or before April 30, 2024. If the commission determines that the procurement of energy or renewable energy credits is in the public interest, the commission must select distributed generation resources for contracts. Distributed generation resources that are awarded contracts as a result of the competitive solicitation may not participate in net energy billing and must terminate any net energy billing arrangements or agreements; and

6. Directs the commission to conduct one or more proceedings to examine and evaluate designs for programs to reduce net energy billing costs in which a distributed generation resource may elect to participate, including, but not limited to, designs that include long term financial mechanisms and buy-down arrangements. If the commission finds the implementation of a program to be in the public interest, the commission must establish and implement the program. By March 31, 2024, the commission must provide a report of its activities regarding these programs to the Joint Standing Committee on Energy, Utilities and Technology.

ENVIRONMENT AND NATURAL RESOURCES

[LD 9](#) An Act To Establish Processing Time Limits For Permit By Rule Applications Under The Site Location Of Development Laws
[Public Law Chapter 45](#)

This law 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 71](#) Resolve, Regarding Legislative Review Of Chapter 171: Control Of Petroleum Storage Facilities, A Major Substantive Rule Of The Department Of Environmental Protection (Emergency Measure)
[Resolve Chapter 10](#)

This law provides for legislative approval of Chapter 171: Control of Petroleum Storage Facilities, a major substantive rule of the Department of Environmental Protection.

[LD 74](#) An Act To Update The Responsibilities Of The Clean-up And Response Fund Review Board
[Public Law Chapter 61](#)

This law 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. The bill also provides procedures for vacancies on the board, reduces the number of required meetings and directs the board to choose a chair every 2 years. If the Board of Environmental Protection overturns an insurance claims-related decision on appeal, it is the Department of Environmental Protection and not the board that must pay reasonable costs incurred by the aggrieved applicant from the Maine Ground and Surface Waters Clean-up and Response Fund.

[LD 217](#) An Act To Support Manufacturers Whose Products Contain Perfluoroalkyl And Polyfluoroalkyl Substances
[Public Law Chapter 138](#)

This law extends the January 1, 2023 deadline for reporting the use of PFAS in products for sale to January 1, 2025. It also does the following:

- authorizes reporting the amount of total organic fluorine if the amount of each PFAS compound is not known;
- allows the amount of PFAS to be reported based on information provided by a supplier rather than testing;
- 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 PFAS in products do not apply to used products or used product components; and
- makes other technical clarifications to PFAS reporting requirements.

The changes made by the bill to the law regulating PFAS in products are made retroactive to January 1, 2023.

[LD 219](#) An Act Regarding Appeals Of License Or Permit Decisions Of The Commissioner Of Environmental Protection
[Public Law Chapter 139](#)

This law makes 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. A revocation or suspension of a license by the Commissioner or 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.
2. 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.
3. 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. 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.
4. 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 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 Chapter 8](#)

This law provides for legislative approval of portions of Chapter 305: Natural Resources Protection Act - Permit by Rule, a major substantive rule of the Department of Environmental Protection. The rule changes concern minor expansion of structures in sand dunes.

[LD 508](#) Resolve, Directing the Department of Environmental Protection to Review Regulation of Waste Discharge from Finfish Aquaculture Facilities
[Resolve Chapter 59](#)

This law 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 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.

[LD 596](#) An Act To Exempt Certain Conservation Lots From Municipal Subdivision Review
[Public Law Chapter 79](#)

This law 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. Under the bill, 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 1246](#) An Act To Include Endangered And Threatened Species Habitat In The Definition Of
"significant Wildlife Habitat" Under The Natural Resources Protection Act
[Public Law Chapter 156](#)

This law amends the definition of "significant wildlife habitat" under the Natural Resources Protection Act to include only 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 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. The Department of Inland Fisheries and Wildlife must define "habitat for state endangered and state threatened species" by major substantive rules.

[LD 1363](#) An Act To Support Extraction Of Common Minerals By Amending The Maine Metallic Mineral Mining Act
[Public Law Chapter 398](#)

This law amends the definition of "metallic mineral" in the Maine Metallic Mineral Mining Act. It also 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 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.

The law 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 or article 8-A or Title 12, chapter 206-A, as applicable.

The law also 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
[Public Law Chapter 234](#)

This law does the following.

1. On or before February 15, 2024, and annually thereafter, the Department of Transportation shall 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.

2. The Maine Climate Council shall 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.

3. 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 shall 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 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
[Public Law Chapter 264](#)

This law provides that only those 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.

The law 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 1814](#) An Act To Reduce Mercury In The Environment By Phasing Out Certain Fluorescent
Light Bulbs
[Public Law Chapter 384](#)

This law authorizes the Department of Environmental Protection to investigate complaints regarding potential violations of the prohibition on the sale of certain mercury-added lamps.

[LD 1926](#) An Act To Impose A Moratorium On New Point Source Waste Discharge Licenses On The Lower Presumpscot River
[Public Law Chapter 295](#)

This law 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 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.

HEALTH AND HUMAN SERVICES

[LD 775](#) An Act To Require And Standardize Labeling Of Water Treatment Equipment
[Public Law Chapter 164](#)

This law imposes labeling requirements on the installation and servicing of water treatment equipment installed on or after July 1, 2024. The definition of "water treatment equipment" includes only equipment located in a private residence. A water treatment company that fails to comply with the provisions of the law commits an unfair and deceptive act that is a violation of the Maine Unfair Trade Practices Act.

[LD 1248](#) An Act To Ensure The Quality Of Bottled Water
[Public Law Chapter 330](#)

This law prohibits the sale of bottled water that contains a PFAS contaminant in an amount that exceeds state or federal standards. The law requires persons that extract water in this State to be sold as bottled water to conduct testing for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, in the bottled water. The law adds perfluorodecanoic acid to the list of regulated PFAS contaminants; establishes two categories of testing: initial testing and subsequent monitoring; and it imposes reporting requirements. The Department of Health and Human Services shall post testing results to publicly accessible websites.

HOUSING

[LD 1706](#) An Act To Clarify Statewide Laws Regarding Affordable Housing And Accessory Dwelling Units (Emergency Measure)
[Public Law Chapter 192](#)

This law makes the following changes to the law regarding affordable housing and accessory dwelling units:

1. Remove from the definition of "affordable housing development" that the developer designates the development as affordable, and changes the definition of "affordable housing development" to a

development in which a level of household income can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs;

2. Clarify that municipal approval of an affordable housing development for purposes of timing of the execution of a restrictive covenant means granting final approval, including issuing an occupancy permit;

3. Clarify that setback requirements are just one type of dimensional requirements;

4. Clarify that residential zones to allow affordable housing density, include zones that where residences are as a conditional use, allowed or permitted;

5. Allow accessory dwelling units on nonconforming lots, including in shoreland zones, if the accessory dwelling units do not further increase the nonconformity;

6. Allow accessory dwelling units built without municipal approval, including accessory dwelling units in shoreland zones, if the accessory dwelling units otherwise meet state and municipal requirements for accessory dwelling units; and

7. Allow municipalities to approve accessory dwelling units through a permitting process that does not require planning board approval.

8. Clarify that an accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection and municipal shoreland zoning ordinances, except that a municipality may not categorically prohibit accessory dwelling units in the shoreland zone that would otherwise meet requirements established by the department and municipal shoreland zoning ordinances.

9. Change the implementation date for laws regarding affordable housing, dwelling units and accessory dwelling units from July 1, 2023 to January 1, 2024 for municipalities for which ordinances may be enacted by the municipal officers without further action or approval by the voters of the municipality, and July 1, 2024 for all other municipalities.

INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

[LD 675](#) Resolve, To Improve The Convenience Of Public Restrooms
[Resolve Chapter 65](#)

This law requires the Plumbers' Examining Board to update Maine's plumbing code to ensure consistency with the provisions of the 2024 Uniform Plumbing Code that relate to the minimum number of required fixtures in public restrooms.

[LD 755](#) An Act To Promote Higher Blends Of Biofuel By Regulating The Sale Or Transfer Of Biofuels
[Public Law Chapter 43](#)

This law amends definitions applicable to the sale of biodiesel, biomass-based diesel, biomass-based diesel blends and biodiesel blends. It requires a person that transfers fuel containing biodiesel, biomass-

based diesel, biomass-based diesel blends and biodiesel blends to prepare and maintain a transfer document.

[LD 975](#) An Act To Align Maine's Elevator Safety Laws With Maine Uniform Building And Energy Code Standards (Emergency Measure)
[Public Law Chapter 149](#)

This law requires that whenever a passenger elevator is installed in a building being newly constructed or in a new addition that extends beyond the exterior walls of an existing building, at least one passenger elevator must reach every story within the building and be of sufficient size to allow the transport of a person on an ambulance stretcher in the fully supine position, without having to raise, lower or bend the stretcher in any way. The law also provides that "story" has the same meaning as in the International Building Code, as adopted by the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board.

[LD 1286](#) Resolve, To Establish The Blue Economy Task Force To Support Maine's Emergence As A Center For Blue Economy Innovation And Opportunity In The 21st Century
[Resolve Chapter 119](#)

This law establishes the Blue Economy Task Force to Support Maine's Emergence as a Center for Blue Economy Innovation and Opportunity in the 21st Century to develop a strategy and recommend a specific action plan to accelerate the State's emergence as an important contributor to the sustainable use of the ocean's resources for economic health, improved livelihoods and jobs and ecosystem health.

[LD 1605](#) An Act To Amend The Terms Of The Members Of The Maine Space Corporation Board Of Directors By Requiring Staggered Terms (Emergency Measure)
[Public Law Chapter 76](#)

This law requires that the Governor, in making initial appointments of the members of the Board of Directors of the Maine Space Corporation, appoint the members for staggered terms.

LABOR AND HOUSING

[LD 651](#) An Act To Amend The Standards For Manufactured Housing To Comply With United States Department Of Housing And Urban Development Standards
[Public Law Chapter 117](#)

This law amends the definition of "newer mobile homes" within the definition of "manufactured housing" to comply with United States Department of Housing and Urban Development standards for manufactured housing.

[LD 1419](#) An Act To Inform Fair Minimum Rates Of Wages And Benefits In Bids For Public Contracts Using State And Federal Data
[Public Law Chapter 333](#)

This law requires that, in addition to other determinations, the Department of Labor, Bureau of Labor Standards investigate and determine the prevailing hourly wage and benefits rate paid in the construction industry in the State by collecting a 3rd set of data for the job classification under the federal Davis-Bacon Act.

[LD 1539](#) An Act To Promote A Diverse, More Experienced Workforce And Ensure High-quality Careers By Increasing Registered Apprenticeship Programs
[Public Law Chapter 318](#)

This law makes the following changes to the laws governing the Maine Apprenticeship Program.

1. It requires the standards of an apprenticeship program to include the dollar value of employer-paid health insurance and the dollar value of employer-paid retirement contribution benefits.
2. It requires the Maine Apprenticeship Program to consider the total package value as a factor in evaluating the performance of a registered apprenticeship program.
3. It directs the Department of Labor to identify and remedy registered apprenticeship programs that are:
 - A. Not in compliance with quality assurance assessments;
 - B. Experiencing low rates of retention or completion; or
 - C. Not providing an adequate total package value to graduates.
4. It requires the Department of Labor to perform an annual assessment of the Maine Apprenticeship Program beginning January 1, 2024.
5. It requires the Maine Apprenticeship Council to submit, as part of its annual report to the Governor and to the Legislature, data on wages and benefits, actions taken by the council to ensure apprenticeships are leading to well-paying jobs and careers and the annual assessment of the Maine Apprenticeship Program by the Department of Labor.
6. It specifies that the Maine Apprenticeship Council must establish a financial incentive program for registered apprenticeships to recruit historically underrepresented populations in all industries, to the extent that funding is available.
7. It requires the Department of Labor and the Maine Apprenticeship Council to establish criteria for funding all registered apprenticeship programs. The criteria must establish benchmarks and consider the total package value that a registered apprentice graduate earns upon transitioning to journeyman status.

STATE AND LOCAL GOVERNMENT

[LD 354](#) Act To Amend The Laws Regarding The Use Of Licensed Professional Engineers On Certain Public Works Projects (*Priority Bill*)
[Public Law Chapter 174](#)

This law repeals and replaces the Maine Revised Statutes, Title 32, section 1254. It exempts certain public works construction projects that would otherwise require the services of a licensed professional engineer if: an authorized representative of a department of this State or any of this State's political subdivisions or any county, city, town, township or plantation engaged in the construction of a public works project issues a written determination that the life, health and property of the public will be adequately protected without the services of a licensed professional engineer; and the contemplated expenditure for the completed project does not exceed \$250,000. For purposes of issuing the written determination, the Director of the Bureau of General Services within the Department of Administrative and Financial Services is the authorized representative of a department of this State engaged in public works that constitute public improvements under Title 5, chapter 153. The law also clarifies that a department of this State or any of this State's political subdivisions or any county, city, town, township or plantation may still require the services of a licensed professional engineer for any public works project that meets both conditions.

[LD 461](#) An Act Regarding Private Ways And Private Roads
[Public Law Chapter 387](#)

This law expands the definition of "repairs and maintenance" as it applies to road associations established and operating in accordance with Title 23, chapter 305 to include paving in locations where pavement does not exist if the paving is approved by an affirmative vote of at least 3/4 of the owners of all the parcels benefited by the private road, private way or bridge at a meeting called in accordance with Title 23, section 3101, subsection 2. It adds installing reclaimed asphalt or grinding existing asphalt pavement for reuse within the definition of "repairs and maintenance."

It allows road associations to establish a reserve account to hold funds for repairs and maintenance, and it changes the expiration date of a notice of claim recorded with the registry of deeds from 18 months to 6 years.

The law instructs the Maine Abandoned and Discontinued Roads Commission to review the use of the following terms in the Maine Revised Statutes: "private way"; "public way"; "private road"; and "public easement," determine whether changes to current law would improve understanding and use of these terms throughout the Maine Revised Statutes and include its conclusions and recommendations in a report to the Joint Standing Committee on State and Local Government submitted by January 5, 2024.

[LD 670](#) An Act To Protect Birds In The Construction, Renovation And Maintenance Of Public Buildings
[Public Law Chapter 221](#)

This law requires the Department of Administrative and Financial Services, Bureau of General Services to develop, by December 31, 2024, guidance regarding integration of bird collision risk management into public improvements. The guidance must: be developed in consultation with expert stakeholders; include an explanation of architectural design threats and landscape design threats to birds; include an explanation of the cost differentials and the comparative effectiveness of materials, designs and other methods for reducing bird collisions; include an explanation of other considerations for reducing bird collisions; and be available on the bureau's publicly accessible website. The guidance is intended for use in construction of public improvements and renovations of public improvements in which more than 50% of a building facade is substantially altered. The guidance does not apply to public buildings, landscapes or districts listed on the National Register of Historic Places or determined to be eligible for inclusion on the National Register of Historic Places, including the State House and the Blaine House.

The Bureau must submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than December 31, 2024 detailing the guidance developed. The bureau must submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 31, 2026, and biennially thereafter, detailing use of the guidance during the previous 2-year period.

[LD 1173](#) An Act Directing The Bureau Of General Services To Ensure Adequate Air Quality In All State-owned And State-leased Buildings
[Public Law Chapter 392](#)

This law adds radon to the list of substances that may be harmful to human health that the Department of Administrative and Financial Services, Bureau of General Services must test for and develop mitigation plans for under the Maine Revised Statutes, Title 5, section 1742-G. The law also requires the Bureau to conduct radon tests in the State House and report the findings with mitigation recommendations to the Legislative Council of the Legislature by January 15, 2024.

TRANSPORTATION

[LD 72](#) An Act To Make Allocations From Maine Turnpike Authority Funds For The Maine Turnpike Authority For The Calendar Year Ending December 31, 2024
[Private and Special Law Chapter 13](#)

This law makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2024 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

[LD 259](#) An Act Making Unified Allocations From The Highway Fund And Other Funds For The Expenditures Of State Government And Changing Certain Provisions Of The Law

Necessary To The Proper Operations Of State Government For The Fiscal Years Ending June 30, 2023, June 30, 2024 And June 30, 2025 (Emergency)

[Public Law Chapter 189](#)

This law makes the following allocation of funds:

PART A This Part makes allocations of funds for the fiscal years ending June 30, 2024 and June 30, 2025.

PART B This Part authorizes the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

PART C This Part sets the attrition rate for the 2024-2025 biennium from 1.6% to 5% for executive branch departments and agencies.

PART D This Part requires the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

PART E This Part authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balances available at the end of fiscal years 2023-24 and 2024-25 to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

PART F This Part authorizes the Maine Municipal Bond Bank, at the request of the Department of Transportation, to issue up to \$200,000,000 in TransCap Trust Fund revenue bonds to support capital improvements to the State's transportation infrastructure.

PART G This Part increases the amount of fuel tax revenue dedicated to the TransCap Trust Fund beginning in fiscal year 2023-24.

PART H This Part changes the Liquor Operation Revenue Fund to reflect the retirement of liquor operation revenue bonds in fiscal year 2022-23 and directs the first \$7,000,000 in profits received pursuant to the Maine Revised Statutes, Title 28-A, section 90 be deposited as undedicated revenue in the General Fund and any additional profits received pursuant to Title 28-A, section 90 be deposited as undedicated revenue in the Highway Fund. This Part also eliminates the Health Care Liability Retirement Fund.

PART I This Part requires that 40% of the revenue from the 5.5% sales tax collected on sales of automobiles by dealers licensed by the Department of the Secretary of State, Bureau of Motor Vehicles and 40% of the 5.5% sales and use tax collected by the Bureau of Motor Vehicles attributable to the sales and use tax collected by the Bureau of Motor Vehicles be transferred to the Highway Fund. The transfer of sales tax revenue is done after the reduction for the transfer to the Local Government Fund so it does not affect the amount provided under so-called revenue sharing. The law does not include revenue from the taxes imposed on short-term rentals of automobiles.

[LD 260](#) An Act To Make Supplemental Allocations From The Highway Fund And Other Funds For The Expenditures Of State Government And To Change Certain Provisions Of The Law Necessary To The Proper Operations Of State Government For The Fiscal Year Ending June 30, 2023 (EMERGENCY)
[Public Law Chapter 50](#)

PART A makes supplemental allocations.

PART B requires the State Controller to carry forward any unexpended balances in the Personal Services and All Other line categories in the Department of the Secretary of State, Administration - Motor Vehicles program, after all financial commitments for obligations and budgetary adjustments have been made, at the end of fiscal year 2022-23 and at the end of fiscal year 2023-24 to the next fiscal year to the All Other line category in the Department of the Secretary of State, Administration - Motor Vehicles program, of which up to \$2,000,000 is to be used for the Bureau of Motor Vehicles modernization project and up to \$7,000,000 is to be used for the new license plate general issue project.

PART C authorizes the Commissioner of Transportation to implement a program to develop the expertise of transportation workers and ferry service workers. The program must provide that upon successful completion of the program and demonstration of prescribed competencies, employees in these classifications may immediately progress to the next level in the respective classification series.

[LD 404](#) Resolve, To Direct The Department Of Transportation To Implement The Recommendations Of The Mountain Division Rail Use Advisory Council
[Resolve Chapter 89](#)

This law directs the Department of Transportation, subject to available funding resources, permitting and municipal agreements, to remove 31 miles of state-owned inactive existing railroad track between the Town of Standish and the Town of Fryeburg and replace the track with an interim 10-foot-wide bicycle and pedestrian trail, surfaced with either pavement or stone dust on the existing rail bed.

[LD 607](#) Resolve, To Direct The Department Of Transportation To Examine Improving Highway Connections From Interstate 95 To The St. John Valley
[Resolve Chapter 63](#)

This law directs the Department of Transportation to convene a stakeholder group to identify and develop strategies to address highway mobility and transportation needs in northern Maine. The stakeholder group consists of 11 members appointed by the Commissioner of Transportation. The stakeholder group is directed to determine to what extent the Aroostook County Transportation Study recommendations have been or will be implemented; review the previous studies analyzing the feasibility of connecting Interstate 95 to the St. John Valley and Aroostook County with a new 90-mile divided highway or with improvements to existing highways; review the conceptual benefits, costs, permitting process and feasible funding sources of a highway connecting Interstate 95 to the St. John Valley and unorganized territory of Central Aroostook; review current and future highway improvement plans that include Aroostook

County; recommend highway improvements that will substantially improve safety, mobility and economic opportunity in northern Maine; and identify the economic and social benefits and costs of improved integration between highway systems in Canada and Maine. By December 31, 2023, the department must submit a report that includes the findings and recommendations of the stakeholder group, including suggested legislation, to the Joint Standing Committee on Transportation.

[LD 1019](#) An Act Regarding Water Testing Related To Storage Facilities
[Public Law Chapter 367](#)

This law includes private water supplies that are hydrogeologically downgradient from a state-owned salt storage facility in the law governing the contamination of private water supplies adjacent to state or state aid highways. The definition of "hydrogeologically downgradient" means a location that receives groundwater from another location. It requires the Department of Transportation to arrange for and pay the cost of testing the private water supplies for any contaminants that may derive from the department constructing, reconstructing or maintaining a state aid or state-owned highway or storing salt in a state-owned salt storage facility upon request by the landowner.

[LD 1559](#) An Act To Advance The State's Public Transit Systems By Reinvigorating The Public Transit Advisory Council
[Public Law Chapter 319](#)

This law makes the following changes:

1. Requires the Public Transit Advisory Council to meet at the call of chair at least 3 times per year.
2. Allows the council to create subcommittees.
3. Amends the transportation policy in the Sensible Transportation Policy Act to include facilitating and supporting public transportation systems in the State.
4. Amends the membership of the Public Transit Advisory Council to add representatives of transit providers, immigrants, unhoused, and youth.
5. Requires the council to annually elect a chair and vice chair from among its members and provides that they serve a term of one year.

[LD 1674](#) An Act To Require And Encourage Safe And Interconnected Transportation
[Public Law Chapter 237](#)

This law does the following:

1. Directs the Department of Transportation to adopt rules to ensure that all persons, including bicyclists, pedestrians, persons of all ages and abilities, transit users and motor vehicle users, are safe on the State's public ways and that all persons have safe and efficient access to the transportation system;
2. Adds safety metrics and crash data to the considerations under the department's priorities, service levels, asset management goals and reporting;

3. At the request of a municipality, the department must perform a road safety evaluation; and

4. By January 3, 2024, the department shall report to the Joint Standing Committee on Transportation on the department's evaluation of how speed limits are set; provide recommendations for changes to state, county and municipal street design standards, state laws and municipal ordinances to achieve the goal of eliminating all traffic fatalities and serious injuries by 2035; and report any findings related to speed limits or traffic fatalities and recommendations, including suggested legislation.

Bills Carried Over

AGRICULTURE, CONSERVATION AND FORESTRY

[LD 1227](#) An Act To Balance Renewable Energy Development With Natural And Working Lands Conservation

This bill directs the Governor's Energy Office to create and maintain a publicly accessible database of fully permitted or constructed energy facilities using renewable resources that may be used to identify land use trends. The bill requires the Department of Agriculture, Conservation and Forestry, in collaboration with the Governor's Energy Office and the Public Utilities Commission and other state agencies, stakeholders and research institutions, to develop a plan to implement a dual-use energy projects.

APPROPRIATIONS AND FINANCIAL AFFAIRS

[LD 367](#) An Act To Authorize General Fund Bond Issues To Improve Highways, Bridges And Nonhighway Modes Of Transportation

The funds provided in Part A by this bond issue, put out to referendum in November 6 2023, in the amount of \$100,000,000, will be used to provide funding for improvements to roads and bridges and nonhighway modes of transportation. The funds provided in Part B by this bond issue, put out to referendum in November 2024, in the amount of \$100,000,000, will be used to provide funding for improvements to roads and bridges and nonhighway modes of transportation.

[LD 749](#) An Act To Authorize A General Fund Bond Issue To Provide A New Dormitory Facility At The Maine School Of Science And Mathematics

The funds provided by this bond issue, in the amount of \$3,000,000, will be used for a new dormitory facility at the Maine School of Science and Mathematics.

[LD 912](#) An Act To Authorize A General Fund Bond Issue To Restore Historic Community Buildings

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to restore historic community buildings, with funds being issued contingent on a 50% local match requirement from either private or nonprofit sources, the process to be administered by the Director of the Maine Historic Preservation Commission.

[LD 1185](#) An Act To Authorize A General Fund Bond Issue To Recapitalize The School Revolving Renovation Fund

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to recapitalize the School Revolving Renovation Fund for the purpose of providing funds to public schools for renovation and capital repairs.

[LD 1871](#) An Act To Authorize A General Fund Bond Issue To Invest In A Green Energy Materials Building At The University Of Maine

The funds provided by this bond issue, in the amount of \$35,000,000, will be used to complete the green energy materials building at the University of Maine.

[LD 1957](#) An Act To Authorize A General Fund Bond Issue To Invest In Maine's Railroad Infrastructure

The funds provided by this bond issue, in the amount of \$50,000,000, will be used for investments in railroad infrastructure to expand passenger rail service, prioritizing railroad track corridors that could support passenger and freight intermodal operations and enhance the movement of agricultural products.

ENERGY, UTILITIES AND TECHNOLOGY

[LD 412](#) An Act To Fully Engage The Efficiency Maine Trust In Mitigating Climate Change By Creating Electrification Programs

This bill is a concept draft pursuant to Joint Rule 208. This bill would authorize the Efficiency Maine Trust to implement cost-effective electrification programs, remove conflicting statutory provisions and alter the trust's mission to include electrification, utilization of distributed energy resources and management of electricity demand consistent with the changing technological realities of the electric grid.

[LD 417](#) An Act To Facilitate Net Energy Billing

This bill establishes various requirements for transmission and distribution utilities to share information, handle billing and otherwise interact with customers and project sponsors in net energy billing arrangements. The bill requires the Public Utilities Commission to establish a complaint handling process

for project sponsor complaints about transmission and distribution utility compliance with billing error requirements and provides that the commission may direct a transmission and distribution utility to pay costs resulting from billing errors.

[LD 589](#) An Act To Ensure That The Maine Electric Grid Provides Additional Benefits To Maine Ratepayers

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require the Public Utilities Commission to:

1. Ensure that the State's electric grid is managed to benefit ratepayers by encouraging reduction of greenhouse gas emissions and providing opportunities for ratepayers to control costs and to implement local energy solutions;
2. Investigate technological advances to minimize the need for new grid infrastructure, including grid-enabling connection ports on water heaters, reconductoring transmission lines, dynamic line ratings and dynamic hosting capacity maps;
3. Order implementation of technological advances that the commission determines are cost-effective and in the public interest; and
4. Report to the Legislature on how the commission stays informed about new technology and requires the adoption of specific technology to benefit ratepayers.

[LD 683](#) An Act To Reduce Electricity Rates

This bill is a concept draft pursuant to Joint Rule 208. It would make changes to the law to reduce electricity rates.

[LD 1465](#) An Act To Amend The Calculation Of Tariff Rates And Billing Credits Under Net Energy Billing

This bill amends the law regarding the net energy billing program for commercial and institutional customers of investor-owned utilities by changing the current calculation for tariff rates to require the Public Utilities Commission to annually base the tariff rate on the forecast of wholesale energy market prices in New England and by providing that an energy credit may apply only to the supply charges of a customer's electricity bill rather than to the entirety of the bill.

[LD 1549](#) An Act To Direct The Public Utilities Commission To Seek Informational Bids Regarding Small Modular Nuclear Reactors In The State

This bill requires the Public Utilities Commission to annually issue a request for informational bids for the establishment in the State of a small modular nuclear reactor, which is a nuclear reactor that has a rated generating capacity of no more than 350 megawatts, is capable of being constructed and operated at a single site on its own or in combination with one or more nuclear reactors and is required to be licensed

by the United States Nuclear Regulatory Commission. The requests are for information only, including the timing for establishing a modular reactor and the cost, location and annual operating costs of a modular reactor, and are not binding on the State or the person submitting the information, but may be used in developing a contract. The commission is required to make an annual report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters detailing the informational bids received.

[LD 1606](#) An Act To Finance Clean Energy And Infrastructure In Maine

This bill directs the Maine Clean Energy and Sustainability Accelerator to establish a dedicated grant program to finance energy audits and feasibility studies for renewable energy or energy efficiency retrofit projects in public elementary and secondary schools. It also directs the Efficiency Maine Trust to establish a pilot project to provide bridge funding for up to 2 years, in the form of zero-interest loans, for public elementary and secondary schools to finance the upfront costs of distributed generation solar or energy efficiency retrofit projects.

[LD 1775](#) An Act To Establish A Clean Hydrogen Pilot Program

This bill requires the Public Utilities Commission to develop and oversee a pilot program to produce clean hydrogen. The commission is directed to select 3 clean hydrogen facilities to participate in the pilot program. Energy supplied to a clean hydrogen facility is exempt from all transmission and distribution charges, charges associated with the procurement of energy efficiency resources and the renewable resource requirements established by the Maine Revised Statutes, Title 35-A, section 3210. By November 1, 2025, the commission is required to submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters regarding the status of the pilot program.

[LD 1830](#) An Act To Advance Maine's Clean Energy Goals

This bill requires the Governor's Energy Office, in consultation with the Public Utilities Commission, to review the impacts of the State's renewable resources portfolio requirements and submit a report to the joint standing committee of the Legislature having jurisdiction over energy matters by March 31, 2024 and every 5 years thereafter. The bill establishes a competitive solicitation for energy or renewable energy credits equal to 5% of the retail electricity sales in this State for the period from January 1, 2021 to December 31, 2021 plus any amount contracted under previous procurements that is not brought into commercial viability within a reasonable time frame established by the commission. Eligible projects must be located on land that is contaminated in some way and may include energy storage systems paired with renewable resources. In conducting a solicitation and selecting projects for contracts, the commission is directed to consider project viability and consider the expected effect on other renewable resources due to congestion and curtailment. The commission is also directed to apply a weight of 70% to the benefits to ratepayers and a weight of 30% to the economic use of contaminated land. The commission may only

select projects the commission finds will benefit ratepayers. Bid prices must be less than the then-current standard-offer service rate.

ENVIRONMENT AND NATURAL RESOURCES

[LD 277](#) An Act Regarding Perfluoroalkyl And Polyfluoroalkyl Substances

This bill is a concept draft pursuant to Joint Rule 208. It proposes to amend the laws regarding perfluoroalkyl and polyfluoroalkyl substances.

[LD 306](#) An Act Related To Water

This bill is a concept draft pursuant to Joint Rule 208. It would amend the laws related to water.

[LD 928](#) Resolution, Proposing An Amendment To The Constitution Of Maine To Establish A Right To A Clean And Healthy Environment

This resolution proposes to amend the Constitution of Maine to grant the people of the State a right to a clean and healthy environment and to the preservation of the natural, cultural and healthful qualities of the environment.

[LD 1471](#) An Act To Amend Provisions Of The Maine Metallic Mineral Mining Act

This bill amends the Maine Metallic Mineral Mining Act as follows.

1. In addition to other requirements provided by that Act, the bill requires an applicant for a mining permit to:

A. Submit a human health impact assessment for the proposed mining operation that identifies all potential emissions and effects from the mining operation in a proposed mining area and affected area that can reasonably be expected to cause or threaten harm to human health;

B. Demonstrate specific plans to provide for and fund the perpetual treatment and monitoring of mine waste and tailings in the event that the applicant fails to satisfy applicable mine waste or tailings management requirements, applicable closure and post-closure monitoring requirements or other applicable requirements resulting in the need for perpetual treatment of mine waste or tailings following closure;

C. Demonstrate specific plans to address natural events that may affect mining operations and for the implementation of climate adaptation measures as specified by rule; and

D. Demonstrate specific plans for ensuring that the mining operation will use clean energy measures and technologies to the greatest extent practicable.

2. In addition to other restrictions provided by that Act, the bill prohibits the Department of Environmental Protection from issuing a mining permit for a mining operation that:

A. Will involve or result in the release of perfluoroalkyl and polyfluoroalkyl substances into the air, soil, groundwater or surface water within any mining area or affected area;

B. Will involve the use of explosives or other blasting materials that contain perchlorate; or

C. Does not meet all applicable setback requirements specified in rule, which must include, but are not limited to, minimum setbacks from schools, day care facilities, residences, hospitals and national and state parks.

3. In addition to other requirements provided by that Act, the bill requires a mining permittee to:

A. Establish compliance with applicable air quality standards and requirements through direct measurement of emissions and not by estimating emission concentrations; to conduct air emissions monitoring for the pollutants described in the State's ambient air quality standards laws and for other hazardous air pollutants specified in rule; to install and operate fence-line monitoring equipment for air emissions from any stack, flue, chimney, vent or other potential source of air pollution within a mining area; and to ensure the monitoring and measurement of fugitive air 2 emissions within a mining area; and

B. Provide proof of and maintain comprehensive general liability insurance for the mining operation for the same duration as financial assurance is required by law, which must provide sufficient coverage to address potential harm to members of the public located adjacent to or in proximity to mining areas or affected areas.

4. The bill amends the provisions of the mining law regarding imminent endangerment to provide the department with authority to take action necessary to prevent an imminent and substantial endangerment to the public health or safety, environment or natural resources that a mining operation has the potential to cause or result in, regardless of whether a violation exists.

[LD 1537](#) An Act To Amend The Laws Relating To The Prevention Of Perfluoroalkyl And Polyfluoroalkyl Substances Pollution And To Provide Additional Funding

This bill extends the deadline for reporting the use of perfluoroalkyl and polyfluoroalkyl substances, or PFAS, in products for sale until October 1, 2023. The bill 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. The bill clarifies the packaging exemption and exempts manufacturers with less than \$20,000,000 in annual national sales from the PFAS reporting requirements but not from any sales prohibitions. It requires the Department of Environmental Protection, not later than January 1, 2025 and every year thereafter until December 31, 2029, to adopt a rule identifying at least one product category or use that may not be sold, offered for sale or distributed in this State if it contains intentionally added PFAS. It prohibits the department prior to January 1, 2028 from providing an exemption for products in which the use of PFAS is a currently unavoidable use unless the department has adopted rules that identify a relevant related product category or use for a sales prohibition. The bill includes an appropriations and allocations section to provide funding for 2 positions and expenditures related to the implementation of the laws governing products containing perfluoroalkyl and polyfluoroalkyl substances.

[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

This bill is a concept draft pursuant to Joint Rule 208. It would extend the deadline by which manufacturers of products containing perfluoroalkyl and polyfluoroalkyl substances are required to submit to the Department of Environmental Protection certain information about those products.

HEALTH AND HUMAN SERVICES

[LD 75](#) An Act To Establish Maximum Contaminant Levels Under The State's Drinking Water Rules To Prohibit Certain Perfluoroalkyl And Polyfluoroalkyl Substances

This bill amends the law authorizing the adoption of state drinking water rules by the Commissioner of Health and Human Services to require that those rules establish a maximum contaminant level equivalent to zero nanograms per liter for certain perfluoroalkyl and polyfluoroalkyl substances.

[LD 1006](#) An Act To Ensure Access To Safe Drinking Water From Household Wells In Rural Areas By Expanding Testing

This bill adds contaminants to the Department of Health and Human Services' uniform testing recommendation for private wells. The bill requires a program to provide free testing for perfluoroalkyl and polyfluoroalkyl substances in household well water of low- income residents through contracts with qualified laboratories. The department is required to conduct educational outreach to make low-income residents aware of the availability of free testing of well water and eligibility for grants from the e Maine State Housing Authority to pay for water treatment systems. The bill clarifies that homeowners served by well water that exceeds state standards for perfluoroalkyl and polyfluoroalkyl substances and other contaminants are eligible for the grants. The Committee amendment corrects a cross-reference. The amendment adds an appropriations and allocations section.

[LD 1488](#) An Act To Expand Testing For Perfluoroalkyl And Polyfluoroalkyl Substances To Private Drinking Water Wells

This bill requires testing of well water for perfluoroalkyl and polyfluoroalkyl substances by a landlord of a residential building supplied by a private drinking water well. Under the bill, for residential property that uses a private water supply, the seller of that property is required to disclose a water test that indicates the presence of perfluoroalkyl and polyfluoroalkyl substances. The bill also adds perfluoroalkyl and polyfluoroalkyl substances to the list of contaminants in the Department of Health and Human Services uniform testing recommendations for private drinking water wells.

The Committee amendment changes the date by which a landlord of a residential building with a water supply provided by a private drinking water well must test the well water for perfluoroalkyl and polyfluoroalkyl substances from January 1, 2024 to January 1, 2025. The amendment also adds an appropriations and allocations section. Fiscal Note Required.

HOUSING

[LD 226](#) An Act To Address Maine's Affordable Housing Crisis

The Committee amendment replaces the bill. The amendment provides funding in the amount of \$40,000,000 annually through fiscal year 2027-28 to support programs administered by the Maine State Housing Authority to support homeownership for single-family homes and for first-time homebuyers and the development of affordable housing in the State. Funding in the current biennium will come from the General Fund. The remaining funding for fiscal years 2025-26 to 2027-28 will be credited to the Maine State Housing Authority from the Liquor Operation Revenue Fund. The amendment also requires the Maine State Housing Authority to report on the use of the funds and the amounts distributed to support homeownership programs and rental housing development programs.

[LD 314](#) An Act To Establish The Permanent Commission On The Status Of Housing In Maine

This bill is a concept draft pursuant to Joint Rule 208. It would establish the Permanent Commission on the Status of Housing in Maine. The commission would be a quasi-independent agency funded through the Department of Economic and Community Development. Members of the commission would include housing advocates and organizations, policy makers, housing developers, housing experts, landlords and tenants. The commission would identify the hurdles to developing more housing units and recommend solutions to each branch of government.

[LD 1134](#) An Act To Improve Housing Affordability By Amending The Definition Of "subdivision" Under The Site Location Of Development Laws

Under the site location of development laws, the term "subdivision" includes the division of a parcel of land into 15 or more lots to be offered for sale or lease to the general public within any 5-year period if the aggregate land area includes more than 30 acres and when all the lots are for single-family, detached, residential housing, common areas or open space. This bill amends those laws to provide that the term "subdivision" includes the division of a parcel of land into 20 or more lots to be offered for sale or lease to the general public within any 3-year period if the aggregate land area includes more than 50 acres and when all the lots are for single-family, detached, residential housing, common areas or open space.

[LD 1257](#) An Act To Increase Housing Capacity And Protect The Municipal Tax Base And Working Lands

This bill makes the following changes to the laws governing subdivisions.

1. It removes from subdivision review any projects that would result in the construction or placement of, or the division of an existing structure into, 3 dwelling units on a single tract or parcel of land. Current law provides that any such projects that would result in 3 or more dwelling units may be subject to subdivision review.

2. It removes from subdivision review any projects that would result in the construction or placement of, or the division of an existing structure into, more than 3 but not more than 18 dwelling units on a single lot located in a designated growth area within a municipality where the project is subject to municipal site plan review.

3. It adopts a definition for "administrative reviewing authority," which means a municipal employee or other designee of a municipality. It also provides that the administrative reviewing authority must review any subdivision application that proposes the construction or placement of, or the division of an existing structure into, more than but not more than 18 dwelling units on a single lot in a designated growth area and, if the municipality has adopted a municipal site plan review ordinance, the administrative reviewing authority must review the application in accordance with the municipal site plan review process.

4. It requires a municipal reviewing authority, when reviewing an application for subdivision approval, to determine that the proposed subdivision is not located in an area identified and designated in the municipality's comprehensive plan as a rural area, unless the area is a designated growth area or an area for which the municipality has adopted a plan governing the approval of subdivisions.

[LD 1294](#) An Act To Implement Certain Recommendations Of The Commission To Increase Housing Opportunities In Maine By Studying Land Use Regulations And Short-term Rentals

This bill is a concept draft pursuant to Joint Rule 208. It would implement certain recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals.

[LD 1505](#) An Act To Amend The Maine Cooperative Affordable Housing Ownership Act

This bill amends the Maine Cooperative Affordable Housing Ownership Act to include group equity cooperatives. It also provides that a housing assistance program must be made reasonably available to residents of housing cooperatives.

[LD 1672](#) An Act To Establish An Affordable Housing Permitting Process

This bill establishes the Affordable Housing Development Review Board under the Department of Agriculture, Conservation and Forestry's Bureau of Resource Information and Land Use Planning in order to issue permits for the development of affordable housing and workforce housing.

[LD 1673](#) An Act To Encourage Affordable Housing And Mixed-use Development By Establishing A Thriving Corridors Program

This bill establishes the Thriving Corridors Program within the Department of Administrative and Financial Services in order to assist municipalities with technical support and funding to redevelop high-impact corridors near downtowns, village centers or crossroads into mixed-use, mixed-income, walkable neighborhoods by infilling and redeveloping underutilized land.

[LD 1721](#) An Act To Create Transitional Housing Communities For Homeless Populations In The State

This bill creates the Transitional Housing Community Construction Program Fund under the Maine State Housing Authority to create transitional housing communities, which are clusters of transitional housing dwelling units for homeless individuals and families to provide stability and to allow the individuals and families to transition to permanent housing. The bill directs that transitional housing communities be created throughout the State designed to cover all 16 counties. The bill directs the Department of Health and Human Services, through independent housing services under its administration of assisted housing programs, to coordinate, arrange or provide services including job training and health care services for residents of transitional housing communities. The bill also provides one-time funding to the Maine State Housing Authority to create transitional housing communities and funding to the department to provide independent housing services to residents of transitional housing.

[LD 1752](#) Resolve, To Prepare Preapproved Building Types

This bill directs the Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning to contract with an appropriate consultant to establish a set of building types that municipalities may adopt as preapproved building types in order to reduce the cost and time associated with processing building permit applications. The bill also requires the department to submit a report no later than November 6, 2024 to the joint standing committee of the Legislature having jurisdiction over housing matters. The joint standing committee may report out legislation relating to the subject matter of the report to the 132nd Legislature in 2025.

[LD 1787](#) Resolve, Directing The Department Of Agriculture, Conservation And Forestry To Convene A Stakeholder Group Tasked With A Comprehensive Overhaul And Modernization Of The State Subdivision Statutes

This resolve requires the Department of Agriculture, Conservation and Forestry, in coordination with the Department of Environmental Protection, to convene a stakeholder group to review and recommend a comprehensive overhaul and modernization of the subdivision laws in the Maine Revised Statutes, Titles 12 and 38. The departments must submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Environment and Natural Resources, and

the joint standing committees may report out legislation related to the report to the Second Regular Session of the 131st Legislature.

[LD 1864](#) An Act To Increase Maine's Housing Supply By Prohibiting Certain Zoning Requirements In Areas Where Public Sewer And Water Infrastructure Are Available And In Designated Growth Areas

This bill provides restrictions on municipal ordinance requirements related to minimum lot size in areas where water and sewer infrastructure are available and in areas where water and sewer infrastructure are not available but that are within designated growth areas. For a housing development served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system and that is located in an area in which dwelling units are allowed, a municipality must allow a dwelling unit on a lot with a minimum size of 5,000 square feet. For a housing development located in a designated growth area that is not served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system, that complies with minimum lot size requirements in accordance with the Maine Revised Statutes, Title 12, chapter 423-A and that is located in an area in which dwelling units are allowed, a municipality must allow a dwelling unit on a lot with a minimum size of 20,000 square feet. The bill also provides limits to ordinance provisions relating to lot coverage, road frontage and setback requirements.

[LD 1867](#) An Act To Establish The Community Housing And Rural Development Authority

This bill establishes the Community Housing and Rural Development Authority within the Maine Redevelopment Land Bank Authority to develop, own, lease and maintain mixed-income, permanently affordable public residential housing in this State.

INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

[LD 1929](#) An Act To Protect Consumers By Licensing Home Building Contractors

This bill establishes licensing requirements for contractors that perform work on residential construction. It establishes a board to administer the licensing requirements. It also reallocates from the law governing regulation of trade to the law governing professions and occupations the law establishing requirements for residential construction contracts and modifies that law in various ways. The bill establishes certain penalties for violations.

[LD 1997](#) An Act To Implement Critical Reforms To The Department Of Environmental Protection Outlined In The State Covid-19 Reopening Plan

This bill:

1. Establishes the State Regulatory Ombudsman Program within the Department of Economic and Community Development to facilitate permitting for developers working on projects of critical impact;
2. Provides that the department must approve, disapprove or schedule a hearing on an application to construct or operate a development within 90 days of receipt of the application;
3. Establishes a task force related to regulatory processes to make recommendations to the Joint Standing Committee on Environment and Natural Resources to make regulatory processes faster, more transparent and more accessible; and
4. Requires the Department of Environmental Protection to develop and implement an online permitting system that enables tracking of permit applications handled by the department.

MARINE RESOURCES

[LD 1145](#) An Act To Create The Southern Maine Coastal Waters Commission

This bill is a concept draft pursuant to Joint Rule 208. It proposes to create the Southern Maine Coastal Waters Commission to oversee the Southern Maine Dredge Authority. Membership on the commission would be open to a representative from each coastal municipality from South Portland to Kittery and would include a representative of each of the following state agencies: the Department of Environmental Protection, Department of Transportation, Department of Agriculture, Conservation and Forestry and Bureau of Resource Information and Land Use Planning, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey within the Department of Agriculture, Conservation and Forestry.

STATE AND LOCAL GOVERNMENT

[LD 371](#) An Act To Address Certain Local Zoning Ordinances

This bill is a concept draft pursuant to Joint Rule 208. It proposes to address certain local zoning ordinances.

[LD 932](#) An Act Requiring Climate Impact Notes On Proposed Transportation Legislation And Agency Rules

This bill requires a climate impact note on every rule proposed by a state agency and on all legislation referred to the joint standing committee of the Legislature having jurisdiction over transportation matters that would have an apparent significant climate impact if implemented.

[LD 1983](#) An Act To Establish The Maine Buy American And Build Maine Act

This bill establishes the Maine Buy American and Build Maine Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public

work made by a state agency, board, commission or institution, except for the Department of Transportation and the Maine Turnpike Authority, contain a provision that any manufactured good valued over \$5,000, including iron, cement and steel, and any article, material or supply acquired for public use used or supplied in the performance of the contract or any subcontract to the contract must be manufactured in the United States.

TAXATION

[LD 1493](#) An Act To Increase Affordable Housing By Expanding Tax Increment Financing

This bill authorizes the creation of Pine Tree Housing Zones to allow retained value resulting from a tax increment financing district in a municipality to be used anywhere in the municipality for the purposes of the purchase, rehabilitation or establishment of affordable and workforce housing in the municipality. The bill provides for a sales tax exemption for the associated purchasing of goods and services and electricity for a qualified project in a Pine Tree Housing Zone.

The Committee amendment changes the name of the proposed housing zones to Evergreen Housing Zones, removes provisions providing for sales tax exemptions and reimbursement and makes changes to the administration of the new zones. The amendment adds an appropriations and allocations section. Fiscal Note Required.

[LD 1538](#) An Act To Provide Tax Benefits To Persons Constructing Accessory Dwelling Units

This bill allows for a reimbursement by the State for up to 10 years of a percentage of property taxes paid due to an increase in the taxes because of the construction of an accessory dwelling unit, which is defined as an attached or detached dwelling unit on the same lot or parcel as an existing or proposed single-family or multifamily residence that allows for independent living for one or more persons and contains kitchen and bathroom facilities and sleeping accommodations.

[LD 1810](#) An Act To Expand The Maine Historic Rehabilitation Credit And Establish A Weatherization Tax Credit

This bill amends the tax credit for historic properties by:

1. Increasing the tax credit from 25% to 30% of the certified qualified rehabilitation expenditures of a taxpayer for a certified historic structure if the taxpayer does not claim a credit under the United States Internal Revenue Code of 1986, Section 47;
2. Increasing the allowable certified qualified rehabilitation expenditures of a taxpayer from a maximum of \$250,000 to a maximum of \$1,000,000 for a certified historic structure if the taxpayer does not claim a credit under the Code, Section 47;

3. Increasing the increased tax credit for a certified affordable housing project from 30% to 35% of certified qualified rehabilitation expenditures for which a credit is claimed under the Code, Section 47; and

4. Increasing the increased tax credit for a certified affordable housing project from 30% to 45% of certified qualified rehabilitation expenditures if the taxpayer does not claim a credit under the Code, Section 47.

The bill establishes a credit for rehabilitation and weatherization of historic homes equal to 25% of the qualified exterior rehabilitation expenditures of a taxpayer who incurs at least \$5,000 in expenditures for a certified historic home. It also provides for an increased credit of 30% of expenditures up to \$75,000 under certain circumstances. It requires the Director of the Maine Historic Preservation Commission to determine whether a taxpayer meets the requirements to receive the credit.

The bill adds the credit for rehabilitation and weatherization of historic homes to the biennial report that the Maine Historic Preservation Commission provides to the Legislature.

TRANSPORTATION

[LD 401](#) An Act To Improve Transportation In Maine

This bill is a concept draft pursuant to Joint Rule 208. 5 It would improve transportation in the State.

[LD 402](#) An Act To Change Maine's Transportation Laws

This bill is a concept draft pursuant to Joint Rule 208. 5 It would change transportation laws in the State.

[LD 527](#) An Act To Allow Municipalities To Create Bicycle And Pedestrian Zones With Reduced Speed Limits

This bill would allow municipalities to create bicycle and pedestrian zones in which the speed limit is 25 miles per hour.

[LD 1210](#) An Act To Establish A Maine Highway Capital Fund To Provide Consistent Funding For The Construction And Repair Of Maine's Roads And Bridges

This bill establishes the Capital Fund within the Department of Transportation. The fund receives all amounts appropriated to the department to fund the construction or repair of highways or bridges that at the end of any fiscal year would otherwise lapse to the General Fund and any amount in any dedicated account to fund the construction or repair of highways or bridges that at the end of any fiscal year would otherwise lapse to the General Fund, as well as 20% of the unappropriated General Fund surplus at the end of each fiscal year and any other funds available to the department that the department directs be

deposited into the fund. The fund must be used to fund construction and repairs of highways and bridges as approved by the Legislature by a 2/3 vote of the members of each House.

[LD 1640](#) An Act To Require Industry Training And Certification For Persons Undertaking Corrosion Prevention And Mitigation For Bridges

This bill requires the adoption of rules by the Department of Transportation governing projects costing \$50,000 or more consisting of corrosion prevention and mitigation for bridge infrastructure. Rules adopted pursuant to this legislation must include establishing a process for ensuring that corrosion prevention and mitigation activities are performed in accordance with established corrosion prevention and mitigation standards, requiring the use of personnel who are industry-trained and industry-certified in corrosion prevention and mitigation methods and requiring plans to prevent environmental degradation that might result from corrosion prevention and mitigation activities.

Bills That Failed

[LD 73](#) An Act To Require Bottled Water Companies To Monitor For Perfluoroalkyl And Polyfluoroalkyl Substances

[LD 76](#) Resolve, Directing The Department Of Transportation To Study The Width Of Road Shoulders

[LD 85](#) Resolve, Directing The Maine Turnpike Authority To Study Adding Exits Off The Maine Turnpike To Aid Economic Development

[LD 124](#) An Act To Ensure The Maintenance Of Circular Intersections On State And State Aid Highways

[LD 169](#) An Act To Amend And Clarify The Laws Governing Perfluoroalkyl And Polyfluoroalkyl Substances And Other Harmful Chemicals

[LD 250](#) An Act To Improve Housing By Increasing Housing Options

[LD 304](#) An Act To Establish Statewide Standards For Perfluoroalkyl And Polyfluoroalkyl Substances

[LD 357](#) An Act To Require The Nonwires Alternative Coordinator To Review And Analyze Plans To Build, Upgrade Or Replace A Substation

[LD 376](#) An Act To Repeal The Law Regarding The Northern Maine Renewable Energy Development Program

- [LD 409](#) An Act To Improve Pedestrian Safety
- [LD 421](#) An Act To Ensure Utility Acquisitions Benefit Maine People
- [LD 442](#) An Act Regarding Renewable Energy Projects
- [LD 524](#) An Act Requiring The Installation Of Electric Vehicle Charging Stations In New Commercial And Multifamily Parking Lot Construction
- [LD 606](#) An Act Regarding Development Of A Program To Assist Farmers Affected By Perfluoroalkyl And Polyfluoroalkyl Substances Contamination
- [LD 612](#) An Act To Create A Green Schools Coordinator In The Department Of Education
- [LD 622](#) An Act To Create Equal Opportunity Access To Clean Energy By Removing The 100-megawatt Limit On Clean Energy Sources
- [LD 638](#) Resolve, Directing The Maine State Housing Authority To Study Strategies For Improving Abandoned Properties And Developing Housing Infrastructure
- [LD 647](#) An Act To Amend The Life Safety Code Regarding When Sprinkler Systems May Be Shut Off
- [LD 713](#) An Act To Require The Transfer To The Highway Fund Of 50 Percent Of Sales Tax Collected From Automobile Dealers And Sales And Use Tax Collected From The Bureau Of Motor Vehicles
- [LD 737](#) An Act To Prohibit Government Contracting Organizations From Influencing Elections
- [LD 786](#) Resolve, Directing The Department Of Professional And Financial Regulation To Study Financial Incentives For Plumbing And Electrical Contractor Services
- [LD 818](#) An Act To Establish An Emergency Fuel Reserve
- [LD 854](#) An Act To Fund The Protection And Restoration Of Riparian And Estuarine Ecosystems And To Impose An Excise Tax On Certain Bottled Water Operators
- [LD 863](#) An Act To Require An Analysis Prior To The Start Of State-funded Building Construction Over \$1,000,000
- [LD 941](#) Resolve, Establishing The Commission To Study Improvements To Conventional Infrastructure And Storm Water Management At The Former Brunswick Naval Air Station
- [LD 965](#) An Act To Subsidize Hydroelectric Power

- [LD 992](#) An Act To Create A Fund For The Abatement And Disposal Of Polychlorinated Biphenyls In School Construction Projects
- [LD 1020](#) Resolve, Directing The Department Of Education To Update Course Requirements For Certification Of Industrial Arts Teachers And To Finally Adopt Major Substantive Rules
- [LD 1057](#) An Act To Promote Consumer Protections In The Residential Building Sector By Requiring Contractors And Subcontractors To Supply Evidence Of Insurance
- [LD 1058](#) An Act To Advance Greenhouse Gas Removal As An Economic Development Strategy In Maine
- [LD 1110](#) An Act Regarding Calibration Requirements For Certain Testing And Measurement Equipment
- [LD 1113](#) An Act To Require Transparency Regarding School Construction Spending
- [LD 1141](#) An Act To Improve Access And System Preservation By Providing Shoulders And Bicycle Lanes On State Roadways Leading To State Parks And Other Significant Destinations
- [LD 1154](#) An Act Regarding Accessory Dwelling Units And Municipal Zoning Ordinances
- [LD 1157](#) An Act To Stabilize Licensing Fees
- [LD 1158](#) An Act To Recognize The Critical Nature Of Workforce Development Through Career And Technical Education By Establishing An Adjustment For Career And Technical Education Centers In The School Funding Formula
- [LD 1171](#) An Act To Raise Funding To Support Waste Reduction, Reuse, Recycling And Composting In Maine
- [LD 1214](#) An Act To Clarify The Laws To Combat Perfluoroalkyl And Polyfluoroalkyl Substances Contamination
- [LD 1232](#) An Act To Increase Adoption Of Solar Power In Maine
- [LD 1265](#) An Act To Make Adjustments To Affordable Housing Requirements
- [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
- [LD 1291](#) An Act To Establish A Grant Program To Provide For Statewide And Equitable Access To Experiential Science, Technology, Engineering And Mathematics Education
- [LD 1358](#) An Act To Clarify Density Requirements For Affordable Housing Developments

- [LD 1393](#) Resolve, To Establish The Commission To Examine Programs And Policies Regarding Natural Resources And Environmental Protection
- [LD 1433](#) An Act To Exclude Pegmatites From The Definition Of "Metallic Mineral"
- [LD 1476](#) An Act To Amend The Definition Of "metallic Mineral" In The Maine Metallic Mineral Mining Act
- [LD 1482](#) An Act To Impose A Moratorium On Open-pit Rock Quarry Excavation
- [LD 1489](#) Resolve, To Capitalize On Opportunities From Newly Revised Federal Renewable Fuels Standards By Studying The Environmental And Economic Benefits Of Electric And Steam Generation Facilities Powered By Biomass
- [LD 1495](#) Resolve, Establishing The Commission To Study The Role Of Critical Minerals As A Resource In The State
- [LD 1508](#) An Act To Ensure A Strategic Approach To Maine's Energy Transition By Imposing A Moratorium On Lithium Mining
- [LD 1531](#) Resolve, To Implement A 4-year Moratorium On Solar Energy Subsidies And Direct The Department Of Environmental Protection To Study The Economic Impact Of Industrial Solar Energy Projects
- [LD 1566](#) Resolve, To Establish The Task Force To Recommend Strategies To Achieve The Goal Of Eliminating Traffic Fatalities And Serious Injuries
- [LD 1570](#) An Act To Create The Storm Water Infrastructure Repair And Replacement Fund
- [LD 1572](#) An Act To Ensure Proper Funding Of The Highway Fund By Imposing A Surcharge On Electric Vehicle Registration
- [LD 1579](#) Resolution, Proposing An Amendment To The Constitution Of Maine To Eliminate The Diversion Of Revenue From Professional And Occupational Licensing Fees
- [LD 1593](#) An Act To Increase Affordable Housing Development
- [LD 1611](#) An Act To Create The Pine Tree Power Company, A Nonprofit, Customer-owned Utility
- [LD 1623](#) An Act To Prohibit All State Subsidies For Electric Vehicles
- [LD 1628](#) An Act To Reform The Occupational Licensing Regime By Including Portability And Removing Good Character Requirements
- [LD 1711](#) An Act To Provide For Safe Roadway Construction Design Criteria

- [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
- [LD 1746](#) An Act To Require Responsible Contracting Practices For Public Construction Projects
- [LD 1776](#) An Act To Allow Citizen Oversight Of Department Of Environmental Protection And Department Of Marine Resources Actions And Rulemaking
- [LD 1778](#) An Act To Ensure A Sustainable Electric Grid
- [LD 1839](#) An Act To Study A Permitting Process For And Establish A Moratorium On Certain Tall Structures
- [LD 1842](#) Resolve, To Support Energy Upgrades At Maine Public Schools And Ensure That New School Construction Meets Current Energy Efficiency Standards
- [LD 1847](#) An Act To Modify The Visual Impact Standards For Offshore Wind Port Development And Establish Labor Standards For Wind Power Projects
- [LD 1845](#) An Act To Regulate Outdoor Lighting
- [LD 1884](#) An Act To Prohibit Offshore Wind Energy Development
- [LD 1897](#) An Act To Improve Public Roadways On Unbridged Islands Not Served By The Maine State Ferry Service