

MAINE Environment

2023 Legislative Priorities



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NRCM's new CEO**



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This year's legislative session started slowly but now is in high gear. Bills are being printed at a fast pace; public hearings and work sessions are happening daily. The Natural Resources Council of Maine (NRCM) staff are working with our coalition partners, allies at the State House, and our members to build support for our top legislative priorities.

Although adjournment in June still seems like a long way off, we are cautiously optimistic that 2023 will be another positive year for enacting new laws to further protect Maine's environment, promote clean energy, and help address the climate crisis.

For the first time since March 2020, lawmakers are meeting in person for nearly all activities, but members of the public can testify for public hearings in person or via Zoom. The committee rooms are equipped with large screens and cameras, which means you can watch hearings and floor action live online or access video recordings at any time. These technology innovations have made the legislative process more accessible than ever before.

We are facing a large volume of new bills this year—2,123, to be exact. In Maine, every printed bill receives a public hearing, which is an opportunity for you to provide testimony. Of the bill titles introduced this year, NRCM has identified more than 250 that address environmental or energy issues of potential interest. If experience is a guide, our policy experts will work to influence the outcome of close to 100 of these bills.

We are particularly enthusiastic about legislation that could make Maine a leader in offshore wind power development. Over the past few years, a broad range of stakeholders have worked to develop a roadmap for deep offshore floating wind power technology that could be a critically important source for clean energy and clean energy jobs. We are focused on legislation to implement portions of that roadmap.

We look forward to supporting a bill to be introduced by Governor Janet Mills requiring Maine to receive 100% of its electricity from clean energy by 2040. This is an exciting and achievable target that would further establish Maine's leadership in addressing climate change. NRCM's recent work is helping Maine get there.

We are working with a broad-based coalition to support a Maine Trails Bond that would provide \$30 million in grants over 4 years for the design, development, and maintenance of trails statewide. This bill could help Maine become a top-tier state in the nation that is recognized for its outstanding trails.

This will be a critically important year to pass two bills to strengthen Maine's Bottle Bill, the beverage container redemption law adopted in 1976 that remains our most important recycling and litter-prevention program. One bill would shore up the finances of redemption centers; the other would make the program more efficient and sustainable.

We also will speak up for a bill to recognize the sovereignty of Maine tribes, a long-overdue change in Maine law that could help address the state's tragic history in relation to the people who have inhabited these lands for time immemorial.

NRCM is closely coordinating our efforts with 37 organizations that participate in Maine's Environmental Priorities Coalition. We also are working in concert with business owners, young Mainers, municipal officials, policy experts, Maine people statewide, and you—our members and supporters. You provide us with the inspiration and people power that help us win.

We greatly appreciate your support and participation in our work. If you are interested in becoming more involved in the policy process, please contact us. We are here to help. If you have not already done so, please join the NRCM Action Network at the Get Involved page on our website (nrcm.org). You'll receive updates about progress on legislative priorities, and learn when and how you can help make a difference. Also, to stay informed of the latest happenings, follow us on Facebook, Instagram, Twitter, and TikTok. Be sure to bookmark our Bill Tracking page on our website to see the status of our priority legislation.

As always, thank you for your support. —Pete Didisheim, Senior Director of Advocacy



NRCM file

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Courtesy UNMaine ASCC

Develop Offshore Wind Power for Clean Energy and Jobs

Maine needs more renewable energy to prevent the worst effects of climate change, and to meet our energy targets, including the new goal announced by

Governor Mills in February of achieving 100% clean energy by 2040.

Maine has a unique opportunity to develop offshore wind power based on floating turbines located more than 20 miles from shore. The Gulf of Maine has some of the strongest, most consistent winds in the world, which makes it highly strategic for generating clean energy. Through responsibly developed offshore wind power, Maine can deliver clean energy and community benefits, and launch an innovative new industry. With the use of the best available research and data to inform siting, construction, and operations, offshore wind can coexist with the Gulf of Maine’s unique ecosystem and the people, communities, and wildlife that depend on it. Building floating turbines and the ports, onshore infrastructure, and supply chains to support them will create thousands of good-paying jobs and skilled career pathways.

Over the past few years, the Governor’s Energy Office has engaged a wide variety of stakeholders—including representatives from coastal communities, fisheries, business, conservation, clean energy, organized labor, state government, and the University of Maine—in a process to develop Maine’s Offshore Wind Roadmap, which was recently released to the public. Sen. Mark Lawrence (D-York County) is sponsoring legislation to enact top recommendations of the Offshore Wind Roadmap, including setting a procurement schedule in statute and establishing standards for wildlife, fisheries, and environmental monitoring and mitigation. The legislation builds on the Roadmap’s framework of responsible offshore wind development by requiring strong labor protections and fostering inclusive benefits for Maine’s most vulnerable communities.

Status: At press time, Senator Lawrence’s bill has not yet been printed, nor has a bill sponsored by Sen. Ben Chipman (D-Cumberland County) to facilitate development of the port infrastructure needed for offshore wind power. Public hearings likely will not occur until April or May.

Action Needed: Contact your Representative and Senator to urge their support for offshore wind power development as a way to reduce our dependence on fossil fuels, create a sustainable new industry using Maine-based technology and talent, and ensure that offshore wind is developed responsibly, with widely shared benefits.



Stephanie Griffin

Establish Focused Climate Action Goals

Maine has taken bold steps to map out some of the critical actions that are needed to address the threat of climate change and help Maine people and communities adapt to

climate impacts already underway. Maine’s Climate Action Plan, *Maine Won’t Wait*, is specifically geared toward achieving compliance with the state’s statutory targets of 45% greenhouse gas emissions reductions by 2030, 80% emissions reductions by 2050. The Department of Environmental Protection (DEP) is assigned a central role in ensuring that Maine meets these ambitious climate actions through tracking and reporting on annual gross and net emissions levels.

Representative Vicki Doudera (D-Camden) has introduced a bill to bolster Maine’s Climate Action Plan by directing the DEP to set sector-specific (e.g., transportation, buildings, energy) and interim greenhouse gas emissions-reduction targets. Such targets could enhance accountability, distribute responsibilities equitably based on emission contributions, and allow agencies, municipalities, utilities, businesses, and even individuals to know what proportion of our overall emissions reductions they are responsible for.

Status: As of this writing, Rep. Doudera’s bill has not yet been printed.

Action Needed: Contact your legislator to urge their support for legislation sponsored by Rep. Doudera.



JSmulski/NRCM

Strengthen and Modernize Maine’s Bottle Bill

Maine’s Bottle Bill (Beverage Container Redemption Program) is the state’s most successful recycling and litter-prevention program, but inflation and

labor shortages are threatening the viability of Maine’s redemption centers. In just the past few years, more than 40 redemption centers have closed due to inflation, workforce shortages, and impacts from the pandemic.

To help ensure that Mainers have places to redeem their bottles and cans, Senator Anne Carney (D-Cumberland County) is sponsoring a bill that would provide immediate support for redemption centers. The “emergency bill” (requiring a two-thirds vote by the House and Senate to take effect immediately) would increase the handling fee set in statute that is paid to redemption centers by beverage companies. This increase would allow workers to be paid fairly and redemption center costs to be covered. In addition, Representative Allison Hepler (D-Woolwich) is sponsoring legislation to modernize the Bottle Bill program in important ways. Specifically, the bill would simplify the sorting and billing process, which would make the processing and pick-up of beverage containers more efficient and cost-effective. The bill also would ensure that a convenient redemption option would be available for Maine people statewide. The bill would redirect “unredeemed deposits” funding to support program improvements and initiatives to reduce waste through promotion of refillable container options.

Status: At press time, neither bill has been printed, and public hearings have not yet been scheduled.

Action Needed: Urge Maine lawmakers to pass these bills sponsored by Sen. Carney and by Rep. Hepler to strengthen and modernize Maine’s Bottle Bill.



David Preston

Protect Maine Lakes

Maine is known for its clean water. Mainers and visitors alike spend time enjoying our rivers, lakes, streams, and coastal waters for a broad range of recreation uses. According to the organization Maine Lakes, the net economic value of our lakes (the sum

of lake-related expenditures on recreation, land-front property purchases, water consumption, boats, etc.) is about \$12 billion. However, invasive plants and algae blooms can make lakes unusable. Failing septic systems and camp road erosion are leading sources of nutrient pollution that feed algae blooms and invasive plant infestations.

Remediating these threats can easily cost millions of dollars for a single pond. Municipal code enforcement officers, whose job it is to ensure that shoreland zoning ordinances are enforced to help keep lakes clean, often lack the training and resources to do so properly. Climate change leads to warmer waters that make algae blooms more severe and increase the likelihood that such blooms will result in catastrophic losses of dissolved oxygen and fish kills.

There is no silver bullet to protect Maine’s lakes, but as the threats to them have grown, lake protection funding has not kept pace. Representative Bill Bridgeo (D-Augusta) has introduced a bill (LD 164) to help protect Maine lakes from emerging threats. As introduced, the bill would provide \$9 million annually to the Department of Environmental Protection’s Lake Restoration and Protection Fund, to help fund costs related to projects that improve or maintain the quality of lake waters. The funds also could be used as a source of matching funds to leverage federal funding for lake protection.

Status: In late January, NRCM joined more than 100 people in providing testimony in support of LD 164. On February 8, the Committee amended the bill to provide \$1 million in funding in the first year and \$1.5 million in the second year for efforts to protect Maine’s most threatened lakes. The Appropriations Committee will decide whether to include this funding in the State budget.

Action Needed: Contact members of the Appropriations Committee to urge their support for the lake protection funding in LD 164.



JMonkman/NRCM

Increase Stakeholder Input for Maine's Forestry Policy

Maine's 17.5 million acres of forests are a critical resource for Maine's economy; the timber industry; a broad range of recreation activities; and the plants, fish, and wildlife in the woods and waters of Maine. Nearly 140 rare plants and animals live in Maine's forestlands, including 21 globally rare species, and Maine's forestlands represent the largest Globally Important Bird Area in the United States. Because of the vast scale of Maine's largely unfragmented forests, these lands play a significant role in mitigating and adapting to climate change and in ensuring continued biodiversity—two of the most pressing issues facing the world today.

Despite the clear value of Maine's forests to the state, decisions about the management of this resource largely are made without broad input from diverse stakeholders. Representative Maggie O'Neil (D-Saco) has introduced a bill (LD 993) to create a Forest Advisory Board, similar to ones that exist in at least 15 other states, including New Hampshire. This Board would bring together a variety of viewpoints, including loggers and biologists, commercial landowners and Indigenous tribes, sportsmen, sportswomen, and ecologists, to share information, facilitate public input, look at the forest comprehensively, and advise the Maine Forest Service on policies to keep our forests healthy, intact, and productive. A Forest Advisory Board would join more than 90 advisory bodies already in place across Maine state government, including the Department of Marine Resources Advisory Council, Inland Fisheries and Wildlife Advisory Council, Maine Climate Council, and Water Resources Planning Committee.

Status: The Agriculture, Conservation and Forestry Committee held a public hearing on LD 993 on March 20.

Action Needed: Urge your elected representatives to support the creation of a Forest Advisory Board by passing LD 993.



BComeau/NRCM

Recognize Tribal Sovereignty

Over the past few years, lawmakers have considered versions of legislation that would recognize the inherent sovereignty rights of Maine's tribes by implementing consensus recommendations of the 2019 Task Force on Changes to the Maine Indian Claims Settlement

Implementing Act. This year, House Speaker Rachel Talbot Ross (D-Portland) will introduce a bill that has strong support from the Wabanaki Alliance, which includes the Aroostook Band of Micmacs, Houlton Band of Maliseet Indians, Passamaquoddy Tribe, and Penobscot Nation. NRCM, along with many other organizations, supports the tribal sovereignty bill and is advocating for its passage. Hundreds of Maine people have submitted testimony urging lawmakers to pass the tribal sovereignty bill. We anticipate this will happen again when a public hearing is scheduled. Maine should recognize the sovereignty of the Wabanaki as a matter of dignity, respect, and honor of inherent rights. Passage of a bill supported by the tribes would be an important step toward recognizing the harm inflicted by European settlers and the State of Maine to the Wabanaki tribes who have lived here for up to 16,000 years.

Status: At press time, the tribal sovereignty bill has not yet been printed, and no public hearing has yet been scheduled.

Action Needed: Contact your Representative and Senator to urge their support for tribal sovereignty.



New England Outdoor Center

Invest in Maine Trails Statewide

Maine has the potential to be a top-tier state in the nation with trails for hiking, biking, wildlife watching, active transportation, skiing, snowmobiling, and many other uses, but only if we invest in the design, construction, and

maintenance of our trails. In every corner of the state, trails serve as a critical resource for connecting Maine people and visitors with the natural world, and for reaching destinations to work and play. During the pandemic, more people than ever discovered Maine trails. Our vast variety of trails is a key feature in Maine's \$3 billion outdoor recreation economy, which supports 41,000 jobs. Snowmobiling alone generates \$460 million in direct spending in Maine and 2,200 jobs.

Despite the importance of trails to Maine, the state invests essentially nothing in the development and maintenance of trails. Small amounts of federal and private funding support trail construction and maintenance projects, but these sources are grossly insufficient to meet the demand. Trail groups, land trusts, and communities statewide have identified a large backlog of maintenance projects that need attention. Funding also is needed to build trails that are accessible to individuals with mobility challenges and for commuting and active transportation. To improve the quality and expand this network, Representative Jessica Fay (D-Raymond) introduced a Maine Trails Bond bill (LD 1156) to provide \$30 million in grants over a 4-year period for non-motorized, motorized, and multi-use trails. The Maine Bureau of Parks and Lands (BPL) would manage the funding, which would support the design, construction, and maintenance of trails.

Status: A public hearing on LD 1156 likely will not happen until April or May.

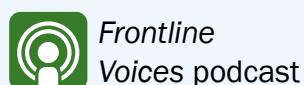
Action Needed: Contact your State Representative and Senator and urge them to support the Maine Trails Bond (LD 1156).

Stop Environmental Rollbacks

NRCM experts are working to defeat bills that would harm or overturn existing environmental laws, including bills that would:

- ⚠️ **Increase Plastic Pollution** Rep. Chad Perkins (R-Dover-Foxcroft) has introduced a bill (LD 425) that would terminate Maine's successful ban on single-use plastic shopping bags. NRCM joined with the Maine Retailers Association in testifying against the bill.
- ⚠️ **Ban Offshore Wind Power** Rep. Tiffany Strout (R-Harrington) has introduced a bill (not yet printed) to prohibit offshore wind power development, which could prevent Maine from realizing the benefits of clean energy and the thousands of jobs connected.
- ⚠️ **Block Local Authority to Limit Fossil Fuels** Sen. Matthew Harrington (R-York County) introduced a bill (LD 894) that would prevent towns from adopting any ordinance to restrict fossil fuel heating systems—pushed hard by oil companies more concerned about profits than clean energy.
- ⚠️ **Terminate Incentives for Electric Vehicles** Rep. Shelley Rudnicki (R-Fairfield) has introduced a bill that would end all incentives for electric vehicles, disrupting a critical strategy for reducing greenhouse gas emissions from transportation—Maine's largest sector of emissions.
- ⚠️ **Moratorium on Renewable Energy** Rep. Richard Bradstreet (R-Vassalboro) has introduced a bill (LD 442) that would prevent the Maine DEP, PUC, and other agencies from issuing a permit or license for any renewable energy project until mid-2024, after a commission develops an energy policy.

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Additional Issues NRCM is Tracking

Below are additional bills that NRCM will give significant attention to this session.

Increase Solar Energy Maine is finally on the move in adding more solar energy to the grid as a key strategy for reducing our dependence on fossil fuels. But much more is needed. Sen. Eloise Vitelli (D-Sagadahoc County) will introduce a bill directing the Maine Public Utilities Commission (PUC) to conduct competitive clean energy procurements through a process like a successful PUC procurement in 2020 that included 13 large solar energy projects that will deliver 460 MW of power. The bill also will include a measure promoting battery storage systems paired with renewable power generation.



Incentives for Electric Bikes Rep. Mattie Daughtry (D-Brunswick) has introduced a bill (LD 256) that would require Efficiency Maine to provide incentives for the purchase of electric bikes. E-bikes can be a relatively low-cost and low-impact transportation alternative for short-distance vehicle

trips and commutes. E-bikes can save on transportation costs and reduce fossil fuel consumption and greenhouse gas emissions. For people with mobility impairments, e-bikes are also a more accessible option than biking and walking. NRCM testified in support of LD 256.

Phasing Out Mercury-containing Light Bulbs Rep. Art Bell (D-Yarmouth) is sponsoring a bill (not yet printed) to phase out mercury-containing fluorescent light bulbs. Over the past 20 years, Maine has been a leader in phasing out the sale of products containing toxic mercury, which ends up in the environment. By 2030, this bill could save Mainers as much as \$20 million annually because of the increased efficiency of LEDs. Similar legislation has been enacted in Vermont and California, and has been introduced in New York, Massachusetts, Rhode Island, and New Jersey.



Protect Endangered Species Rep. Jim Dill (D-Old Town) introduced a bill (LD 57) to add eight species to Maine's Endangered and Threatened Species List. As recommended by Maine's Department of Inland Fisheries and Wildlife, additional legal protections would be provided to





the Bank Swallow, Cliff Swallow, Bicknell's Thrush, Blackpoll Warbler, Saltmarsh Sparrow, tricolored bat, Ashton's cuckoo bumble bee, and marginated tiger beetle. Each has experienced significant population declines within Maine and across their North American ranges.

Pine Tree Amendment Rep. Maggie O'Neil (D-Saco) introduced a bill (LD 928) to amend the Maine Constitution to protect the rights of the people of the state "to a clean and healthy environment and to the preservation of the natural, cultural, and healthful qualities of the environment." The amendment requires the State to "conserve, protect, and maintain the state's natural resources, including, but not limited to, its air, water, land, and ecosystems for the benefit of all the people, including generations yet to come." The bill needs a two-thirds vote by the House and Senate to be placed on the ballot for Maine people to vote on.



Tips for Citizen Engagement

Maine's environmental laws exist because of the involvement of Maine people like you. Our goal is to encourage as many people as possible to participate in the process. Every action can make a difference, from sending an email or making a phone call to your elected officials to writing a letter-to-the-editor or testifying at a hearing. To help you participate in the legislative process, we've created a Take Action Toolkit (www.nrcm.org/get-involved/take-action/take-action-toolkit/) that includes information on:

-  How to find your Maine state legislators
-  Tips for contacting your legislators
-  Quick video on how to write and deliver testimony
-  Tips on writing a letter-to-the-editor

Visit the Legislative Bill Tracking page on our website, which provides links to legislation, information on NRCM's position, a link to our factsheets and testimony, and updates on the status of the bills.

Submit testimony here:

<https://www.mainelegislature.org/testimony/>

Watch live committee hearings here:

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View archived videos of hearings here:

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