



131st MAINE LEGISLATURE

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Legislative Document

No. 171

H.P. 112

House of Representatives, January 13, 2023

An Act to Provide That All Rules Regarding Perfluoroalkyl and Polyfluoroalkyl Substances Are Major Substantive Rules

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CAMPBELL of Orrington.
Cosponsored by Senator BLACK of Franklin and
Representatives: BOYLE of Gorham, DRINKWATER of Milford, SOBOLESKI of Phillips,
THORNE of Carmel, Senator: LYFORD of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §320-K, sub-§6**, as enacted by PL 2021, c. 635, Pt. XX, §2, is
3 amended to read:

4 **6. Rules.** The department may adopt rules to implement this chapter. Rules adopted
5 pursuant to this subsection are ~~routine technical~~ major substantive rules as defined in Title
6 5, chapter 375, subchapter 2-A.

7 **Sec. 2. 38 MRSA §424-C, sub-§6**, as enacted by PL 2021, c. 449, §1, is amended
8 to read:

9 **6. Administration and enforcement; rules.** The department shall administer and
10 enforce this section and may adopt rules as necessary to implement and administer this
11 section. Rules adopted pursuant to this subsection are ~~routine technical~~ major substantive
12 rules as defined in Title 5, chapter 375, subchapter 2-A.

13 **Sec. 3. 38 MRSA §1614, sub-§5, ¶C**, as enacted by PL 2021, c. 477, §1 and
14 reallocated by RR 2021, c. 1, Pt. A, §54, is amended by repealing the first blocked
15 paragraph.

16 **Sec. 4. 38 MRSA §1614, sub-§10**, as enacted by PL 2021, c. 477, §1 and
17 reallocated by RR 2021, c. 1, Pt. A, §54, is amended to read:

18 **10. Rules.** The department shall adopt rules to implement this section. ~~Except as~~
19 ~~provided in subsection 5, paragraph C, rules~~ Rules adopted to implement this section are
20 ~~routine technical~~ major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

21 **SUMMARY**

22 This bill requires rules related to perfluoroalkyl and polyfluoroalkyl substances, or
23 PFAS, to be major substantive rules.