

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2015**

- (1) Registration of biomedical waste generators;
- (2) Handling of biomedical waste by generators;
- (3) Licensing of biomedical waste transporters and the conveyances used for the transportation of biomedical waste;
- (4) Implementation of a biomedical waste tracking or manifest system;
- (5) Establishment of treatment and disposal standards; and
- (6) Categories of biomedical waste subject to regulation under this subsection, consistent with the provisions of section 1303-C, subsection 1-A.

B. The ~~board~~ commissioner shall adopt rules governing the siting, licensing, operational and record-keeping requirements for biomedical waste treatment, storage and disposal facilities.

C. The ~~board~~ commissioner shall require evidence of financial capacity.

D. The ~~board~~ commissioner may assess licensing and registration fees sufficient to pay for the department's administrative costs in regulating biomedical waste.

E. The rules must provide transportation and disposal options for persons who generate fewer than 50 pounds of sharps per month that allow:

- (1) The generator or an employee of the generator to transport properly packaged sharps to a licensed biomedical waste disposal facility or another medical facility that has volunteered to serve as a collection point for sharps if no more than 50 pounds of sharps are transported in one trip; and
- (2) The generator to mail properly packaged sharps to a licensed biomedical waste disposal facility in this State or a facility in another state if the carrier accepts those items and no more than 50 pounds are transported in any single package.

For purposes of this paragraph, "sharps" means items that may cause puncture wounds or cuts, including hypodermic needles, syringes, scalpel blades, capillary tubes and lancets, and "properly packaged" means packaged in accordance with department rules and rules or requirements imposed by the mail carrier.

See title page for effective date.

## CHAPTER 125

### H.P. 882 - L.D. 1296

#### **An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, there exists a marked decline in the abundance of smelt; and

**Whereas**, in order to prevent overfishing of smelt, it is necessary to take immediate action; and

**Whereas**, this legislation repeals authorization for smelting in Mud Brook in Aroostook County; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 12 MRSA §12460-A**, as amended by PL 2009, c. 218, §1, is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 29, 2015.

## CHAPTER 126

### H.P. 815 - L.D. 1182

#### **An Act To Exempt Certain Agricultural Buildings from the Maine Uniform Building and Energy Code**

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

**Sec. 1. 10 MRSA §9722, sub-§6, ¶L**, as corrected by RR 2011, c. 1, §11, is amended to read:

L. In the adoption and amendment of the Maine Uniform Building and Energy Code, adopt the standards for residential basement wall insulation under the 2006 edition of the International Energy Conservation Code published by the International Code Council; ~~and~~

**Sec. 2. 10 MRSA §9722, sub-§6, ¶M**, as re-allocated by RR 2011, c. 1, §12, is amended to read:

M. Adopt, amend and maintain the Maine Uniform Building Code and the Maine Uniform Energy Code; and

**Sec. 3. 10 MRSA §9722, sub-§6, ¶N** is enacted to read:

N. In the adoption and amendment of the Maine Uniform Building and Energy Code, ensure that buildings used to house livestock or harvested crops are not subject to the code.

See title page for effective date.

## CHAPTER 127

### S.P. 279 - L.D. 781

#### An Act To Expand Turkey Hunting Opportunities

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

**Sec. 1. 12 MRSA §11109, sub-§3, ¶C**, as amended by PL 2005, c. 12, Pt. III, §4, is further amended to read:

C. A resident small game hunting license, for a person 16 years of age or older, which permits hunting for all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$14.

**Sec. 2. 12 MRSA §11109, sub-§3, ¶¶G and K**, as amended by PL 2009, c. 213, Pt. OO, §2, are further amended to read:

G. A nonresident small game hunting license, which permits hunting of all legal species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$74.

K. An alien small game hunting license, which permits hunting of all species except deer, bear, ~~turkey~~, moose, raccoon and bobcat, is \$79.

**Sec. 3. 12 MRSA §11155, sub-§1-A**, as enacted by PL 2005, c. 12, Pt. III, §11, is amended to read:

**1-A. Eligibility; license required.** A person who possesses a valid license to hunt big game or small game may obtain a permit to hunt for wild turkey from the commissioner or an authorized agent.

**Sec. 4. 12 MRSA §11701, sub-§1, ¶B**, as enacted by PL 2013, c. 387, §3, is amended to read:

B. A person to hunt from 30 minutes before sunrise to 30 minutes after sunset. ~~This paragraph is repealed August 1, 2016;~~ and

**Sec. 5. 12 MRSA §11701, sub-§2**, as enacted by PL 2013, c. 387, §3, is amended to read:

**2. Fall seasons.** Beginning with the ~~2014~~ 2016 fall open season, the commissioner shall establish by rule ~~a 2 fall open season~~ seasons for hunting wild turkeys. Unless the commissioner determines that sound management principles require otherwise, the rule must establish ~~a 2 fall open season~~ seasons that ~~includes~~ include the month of October and a week in the month of November and allow a person to take up to a total of 2 wild turkeys over both seasons regardless of sex without any additional fee for the taking of a 2nd wild turkey.

**Sec. 6. Effective date.** This Act takes effect January 1, 2016.

Effective January 1, 2016.

## CHAPTER 128

### H.P. 347 - L.D. 508

#### An Act To Amend the Laws Governing the Number of Agency Liquor Stores Allowed in a Municipality

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

**Sec. 1. 28-A MRSA §453, sub-§2-A**, as amended by PL 2013, c. 253, §1, is further amended to read:

**2-A. Limitation on number of agency liquor stores.** Beginning July 1, 2009, the bureau may license up to 10 agency liquor stores in a municipality with a population over ~~50,000~~ 45,000; up to 9 agency liquor stores in a municipality with a population over 30,000 but less than 45,001; up to 8 agency liquor stores in a municipality with a population over 20,000 but less than ~~50,001~~ 30,001; up to 5 agency liquor stores in a municipality with a population of at least 10,001 but less than 20,001; up to 4 agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; and up to 3 agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001. In addition, the bureau may establish one agency liquor store in a municipality where the population is less than 2,000. The bureau may consider the impact of seasonal population or tourism and other related information provided by the municipality requesting an additional agency liquor store location.