

# 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**

under section 11105. The following penalties apply to a violation of this subsection:

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

B. A person who violates paragraph A after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

**5. Expiration of junior hunting license issued to person 15 years of age.** A junior hunting license issued to a person who is 15 years of age is valid through the calendar year for which the license is issued. In addition to the requirements of subsection 4, all other permit requirements applicable to a person who is 16 years of age or older apply to a person who continues to hunt with a junior hunting license under this subsection after reaching that person's 16th birthday.

**6. Penalties for supervisors of junior hunters.** A person who is the adult supervisor of a holder of a valid junior hunting license when that junior hunter violates any provision of this Part pertaining to hunting:

A. Commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged; and

B. After having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period, commits a Class E crime.

**Sec. 9. 12 MRSA §11109, sub-§3, ¶A,** as amended by PL 2013, c. 538, §21, is further amended to read:

A. A resident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$7. Notwithstanding the permit fees established in subchapter 3, a resident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 10. 12 MRSA §11109, sub-§3, ¶F,** as repealed and replaced by PL 2013, c. 538, §22, is amended to read:

F. A nonresident junior hunting license, for a person ~~10 years of age or older and~~ under 16 years of age, is \$34. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 11. 12 MRSA §11154, sub-§13,** as enacted by PL 2005, c. 143, §1, is amended to read:

**13. Hunting adventure permits for children.** Notwithstanding subsection 6 ~~and section 11102,~~ the commissioner may issue 2 moose permits to a non-profit organization dedicated to providing hunting and fishing adventures to children under 21 years of age with life-threatening, critical or terminal illnesses. The commissioner may issue these permits upon written request by an eligible nonprofit organization but may not issue more than 2 permits in total for a calendar year. These permits are in addition to the moose hunting permits issued under subsection 2 for each wildlife management district and are at no cost to the organization.

**Sec. 12. Effective date.** This Act takes effect January 1, 2016.

Effective January 1, 2016.

**CHAPTER 137**

**H.P. 443 - L.D. 662**

**An Act To Increase Access to Health Care through Telemedicine**

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

**Sec. 1. 32 MRSA §3300-D** is enacted to read:

**§3300-D. Interstate practice of telemedicine**

**1. Definition.** For the purposes of this section, "telemedicine" has the same meaning as in Title 24-A, section 4316, subsection 1.

**2. Requirements.** A physician not licensed to practice medicine in this State may provide consultative services through interstate telemedicine to a patient located in this State if the physician is registered in accordance with subsection 3. A physician intending to provide consultative services in this State through interstate telemedicine shall provide any information requested by the board and complete information on:

A. All states and jurisdictions in which the physician is currently licensed;

B. All states and jurisdictions in which the physician was previously licensed; and

C. All negative licensing actions taken previously against the physician in any state or jurisdiction.

**3. Registration.** The board may register a physician to practice medicine in this State through interstate telemedicine if the following conditions are met:

A. The physician is fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services;

B. The physician has not had a license to practice medicine revoked or restricted in any state or jurisdiction;

C. The physician does not open an office in this State, does not meet with patients in this State, does not receive calls in this State from patients and agrees to provide only consultative services as requested by a physician, advanced practice registered nurse or physician assistant licensed in this State and the physician, advanced practice registered nurse or physician assistant licensed in this State retains ultimate authority over the diagnosis, care and treatment of the patient;

D. The physician registers with the board every 2 years, on a form provided by the board; and

E. The physician pays a registration fee not to exceed \$500.

4. Notification of restrictions. A physician registered to provide interstate telemedicine services under this section shall immediately notify the board of restrictions placed on the physician's license to practice medicine in any state or jurisdiction.

5. Jurisdiction. In registering to provide interstate telemedicine services to residents of this State under this section, a physician agrees to be subject to the laws and judicial system of this State and board rules with respect to providing medical services to residents of this State.

6. Notification to other states. The board shall obtain confirmation of licensure from all states and jurisdictions in which a physician applying for registration has ever been licensed prior to registering the physician pursuant to subsection 3. The board shall request notification from a state or jurisdiction if future adverse action is taken against the physician's license in that state or jurisdiction.

See title page for effective date.

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## CHAPTER 138

H.P. 475 - L.D. 699

### An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations

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

**Whereas,** the United States Occupational Safety and Health Administration implemented changes to its injury and illness recordkeeping requirements that became effective January 1, 2015; and

**Whereas,** the State became a so-called state plan state for public sector employers in an effort to decrease General Fund costs and employer costs; and

**Whereas,** state plan states must conform their statutes to the new federal provisions no later than July 1, 2015; and

**Whereas,** the State's lack of compliance with the injury and illness recordkeeping requirements would cause loss of reimbursement to the State; 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. 26 MRSA §2,** as repealed and replaced by PL 2003, c. 244, §1, is amended to read:

#### §2. Reports of deaths and injuries

**1. Reports of deaths.** The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 8 hours after the occurrence, report ~~in writing or by telephone~~ the death of any person in the workplace or on the premises to the Director of the Bureau of Labor Standards the death of any person in the workplace or on the premises, or the director's designee, by telephone or electronically, stating as fully as possible the cause of the death and the place where the deceased person has been sent and supplying other information relative to the death that may be required by the director who may investigate the causes of the death and require such precautions to be taken as will prevent the recurrence of similar events. A statement contained in any such report is not admissible in evidence in any action arising out of the death reported.

**2. Reports of serious physical injuries.** The person in charge of any workplace as defined in section 1 provided by the State, a state agency, a county, a municipal corporation, a school district or other public corporation or political subdivision shall, within 24 hours after the occurrence, report ~~in writing or by telephone~~ all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises to the Director of the Bureau of Labor Standards all serious physical injuries requiring immediate hospitalization sustained by any person in the workplace or on the premises, or the director's