

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

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FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2015

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 §12458, sub-§2 is enacted to read:

2. Webster Stream. Between August 16th and September 30th annually, there is a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake.

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

Effective June 22, 2015.

CHAPTER 235

H.P. 289 - L.D. 422

An Act To Improve Access to Treatments for Lyme Disease

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

Sec. 1. 32 MRSA §3282-B is enacted to read:

§3282-B. Lyme disease treatment

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Long-term antibiotic therapy" means the administration of oral, intramuscular or intravenous antibiotics, singly or in combination, for a period of time in excess of 4 weeks.

B. "Lyme disease" means:

(1) The presence of signs or symptoms compatible with acute infection with *Borrelia burgdorferi*;

(2) Late stage, persistent or chronic infection with *Borrelia burgdorferi*;

(3) Complications related to an infection under subparagraph (1) or (2); or

(4) The presence of signs or symptoms compatible with acute infection or late stage, persistent or chronic infection with other strains of *Borrelia* that are identified or recognized by the United States Department of Health and Human Services, Centers for Disease Control and Prevention as a cause of disease.

"Lyme disease" includes an infection that meets the surveillance criteria for Lyme disease established by the federal Centers for Disease Control and Prevention or a clinical diagnosis of Lyme disease that does not meet the surveillance criteria for Lyme disease set by the federal Centers for Disease Control and Prevention but presents other acute and chronic signs or symptoms of Lyme disease as determined by a patient's treating physician.

2. Lyme disease treatment. A physician licensed under this chapter may prescribe, administer or dispense long-term antibiotic therapy for a therapeutic purpose to eliminate infection or to control a patient's symptoms upon making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease. The physician shall document the clinical diagnosis and treatment in the patient's medical record. The clinical diagnosis must be based on knowledge obtained through medical history and physical examination only or in conjunction with testing that provides supportive data for the clinical diagnosis.

See title page for effective date.

CHAPTER 236

H.P. 374 - L.D. 550

An Act To Improve the Process for Obtaining an Adjustment in State Valuation Due to Sudden and Severe Reduction in Municipal Valuation

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 value of property within a municipality has a great effect on the calculation of the municipality's required contribution for funding local schools; and

Whereas, the sudden closure of businesses has a severe effect on municipal property valuations that is not currently accounted for in the calculation of general purpose aid for local schools; and

Whereas, immediate relief is necessary to ensure municipalities with sudden and severe impacts upon property valuations are able to preserve adequate funding for education; 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 preserva-

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §208-A, sub-§2, ¶C, as repealed and replaced by PL 2007, c. 322, §2, is amended to read:

C. The municipality's equalized tax rate of residential property following the sudden and severe disruption in municipal valuation exceeds the most recent state average of residential property for which data is available.

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

Effective June 23, 2015.

CHAPTER 237

H.P. 492 - L.D. 716

An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker

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

Whereas, Maine's snowmobile industry is a vital part of the economy and depends on the quantity and quality of the State's snowmobile trails; and

Whereas, the State's snowmobile trails are created and maintained by a volunteer network of snowmobile clubs supported in part by snowmobile registration fees; and

Whereas, these snowmobile clubs are struggling to maintain the snowmobile trail system at current funding levels, and, unless additional funding is provided for snowmobile trail creation and maintenance, the State's snowmobile trails will begin to deteriorate, causing economic hardship throughout the State; and

Whereas, as snowmobile trail creation and maintenance must be planned for and started well before the beginning of the snowmobile season, this Act must take effect prior to 90 days after the adjournment of the Legislature; 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 §13104, sub-§3, as amended by PL 2009, c. 213, Pt. OO, §19, is further amended to read:

3. Form of registration. The snowmobile registration must be in such form as the commissioner may determine except that the commissioner shall develop a single form of registration that can be used for ~~either~~ the 3-day, 10-day or seasonal nonresident registrations.

Sec. 2. 12 MRSA §13104, sub-§4, as repealed and replaced by PL 2011, c. 129, §1 and amended by c. 657, Pt. W, §§5 and 7 and PL 2013, c. 405, Pt. A, §24, is further amended to read:

4. Fee. Except as provided in subsection 5, the annual snowmobile registration fee is as follows:

A. For residents, ~~\$40~~ \$45. The registration for a snowmobile owned by a resident is valid for one year, commencing on July 1st of each year; and

B. For nonresidents:

(1) ~~Forty-three~~ Forty-nine dollars for a 3-consecutive-day registration. A person may purchase more than one 3-day registration in any season; ~~and~~

(2) ~~Eighty-eight~~ Ninety-nine dollars for a seasonal registration; ~~and~~

(3) Seventy-five dollars for a 10-consecutive-day registration. A person may purchase more than one 10-day registration in any season.

The registration for a snowmobile owned by a nonresident must specify the dates for which the registration is valid.

Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry. The funds must be used to assist any entity that has a snowmobile trail grooming contract with the Bureau of Parks and Lands in the purchase of trail-grooming equipment. The funds also may be used for the repair or overhaul of trail-grooming equipment.

~~Seven~~ Twelve dollars from each resident snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

Six dollars from each nonresident 3-day snowmobile registration fee, \$6 from each nonresident 10-day snowmobile registration fee and \$11 from each nonresident seasonal snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the De-