

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST SPECIAL SESSION**

**August 26, 2019**

**SECOND REGULAR SESSION**

**January 8, 2020 to March 17, 2020**

**THE GENERAL EFFECTIVE DATE FOR  
FIRST SPECIAL SESSION**

**NON-EMERGENCY LAWS IS**

**NOVEMBER 25, 2019**

**THE GENERAL EFFECTIVE DATE FOR  
SECOND REGULAR SESSION**

**NON-EMERGENCY LAWS IS**

**JUNE 16, 2020**

**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  
2020**

- A. The dollar amount of the tax credit;
  - B. The number of direct manufacturing jobs created and the number of related indirect jobs created; and
  - C. The dollar amount of capital investment in manufacturing; and
2. The amount in pounds of renewable chemical produced for which the credit was claimed.
- See title page for effective date.

**CHAPTER 629**

**H.P. 1258 - L.D. 1771**

**An Act To Amend the Law  
Governing Name Changes**

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

**Sec. 1. 18-C MRSA §1-701, sub-§2, ¶A,** as enacted by PL 2017, c. 402, Pt. A, §2 and affected by Pt. F, §1, is repealed.

See title page for effective date.

**CHAPTER 630**

**S.P. 610 - L.D. 1804**

**An Act Regarding the Baiting  
of Deer**

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

**Sec. 1. 12 MRSA §10659, sub-§2,** as enacted by PL 2017, c. 225, §1, is amended to read:

**2. Penalty.** A person who violates subsection 1 commits ~~a Class E crime~~ a civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged.

**Sec. 2. 12 MRSA §10902, sub-§7-C,** as amended by PL 2017, c. 355, §1, is further amended to read:

**7-C. Hunting deer over bait.** A hunting license of a person ~~convicted~~ adjudicated of placing or hunting over bait in violation of section 11452, subsection 1 must be revoked, and that person is ineligible to obtain a hunting license as follows:

- A. For a first offense, for a period of one year from the date of ~~conviction~~ adjudication; and
- B. For a 2nd offense, for a period of 2 years from the date of ~~conviction~~ adjudication.

**Sec. 3. 12 MRSA §11452, sub-§2,** as enacted by PL 2003, c. 655, Pt. B, §171 and affected by §422, is amended to read:

**2. Penalty.** A person who violates subsection 1 commits a ~~Class E crime~~ civil violation for which a fine of not less than \$500 nor more than \$1,000 may be adjudged.

See title page for effective date.

**CHAPTER 631**

**H.P. 1303 - L.D. 1832**

**An Act To Ensure Adequate  
Funding for the Maine  
Pollutant Discharge  
Elimination System and Waste  
Discharge Licensing Program**

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

**Sec. 1. 38 MRSA §353-B, sub-§2, ¶A,** as corrected by RR 2011, c. 2, §43, is amended to read:

A. The fees for waste discharge license groups are the 2019 bill amounts increased by a factor of 1.4 as follows.

| Discharge group  | Basis for annual fee | 2011 amount                        | Median fee for discharge group | Water quality improvement surcharge |
|--|----------------------|------------------------------------|--------------------------------|-------------------------------------|
| Publicly owned treatment facilities, 10,000 gallons per day or less                                  | annual fee           | 2011<br><u>2019 bill</u><br>amount | \$306                          | <u>\$543</u>                        |
| Publicly owned treatment facilities, more than 10,000 gallons per day to 0.1 million gallons per day | annual fee           | 2011<br><u>2019 bill</u><br>amount | \$400                          | <u>\$689</u>                        |

|  |            |   |  |   |            |                                     |                                    |      |  |
|--|------------|---|--|---|------------|-------------------------------------|------------------------------------|------|--|
| Publicly owned treatment facilities, more than 0.1 million gallons per day to 1.0 million gallons per day        | annual fee | Average of 2009, 2010 and 2011 2019 bill amounts amount | <del>\$617</del><br><u>\$1,063</u>     | Fish-rearing facility over 0.1 million gallons per day                              | annual fee | <del>2011</del><br>2019 bill amount | <del>\$794</del><br><u>\$1,368</u> |      |  |
| Publicly owned treatment facilities, more than 1.0 million gallons per day to 5.0 million gallons per day        | annual fee | Average of 2009, 2010 and 2011 2019 bill amounts amount | <del>\$1,300</del><br><u>\$2,241</u>   | Marine aquaculture facility   | annual fee | <del>2011</del><br>2019 bill amount | <del>\$308</del><br><u>\$529</u>   |      |  |
| Publicly owned treatment facilities, greater than 5 million gallons per day or with significant industrial waste | annual fee | Average of 2009, 2010 and 2011 2019 bill amounts amount | <del>\$4,553</del><br><u>\$7,850</u>   | Noncontact cooling water  | annual fee | <del>2011</del><br>2019 bill amount | <del>\$192</del><br><u>\$330</u>   |      |  |
| Major industrial facility, process wastewater (based on EPA list of major source discharges)                     | annual fee | Average of 2009, 2010 and 2011 2019 bill amounts amount | <del>\$19,672</del><br><u>\$33,919</u> | Industrial or commercial sources, miscellaneous or incidental nonprocess wastewater | annual fee | <del>2011</del><br>2019 bill amount | <del>\$363</del><br><u>\$626</u>   |      |  |
| Other industrial facility, process wastewater  | annual fee | 2011 2019 bill amount                                   | <del>\$1,214</del><br><u>\$2,093</u>   | Municipal combined sewer overflow   | annual fee | <del>2011</del><br>2019 bill amount | <del>\$413</del><br><u>\$711</u>   |      |  |
| Food handling or packaging wastewater  | annual fee | 2011 2019 bill amount                                   | <del>\$659</del><br><u>\$1,135</u>     | Sanitary wastewater, excluding overboard discharge                                  | annual fee | <del>2011</del><br>2019 bill amount | <del>\$736</del><br><u>\$1,268</u> |      |  |
| Fish-rearing facility 0.1 million gallons per day or less  | annual fee | 2011 2019 bill amount                                   | <del>\$312</del><br><u>\$538</u>       | Sanitary overboard discharge, commercial sources                                    | annual fee | 2011 bill amount                    | \$446                              | \$75 |  |
|  |            |   |  | Sanitary overboard discharge, residential sources 600 gallons per day or less       | annual fee | 2011 bill amount                    | \$231                              | \$75 |  |
|  |            |   |  | Sanitary overboard discharge, residential sources more than 600 gallons per day     | annual fee | 2011 bill amount                    | \$313                              | \$75 |  |
|  |            |   |  | Sanitary overboard discharge, public sources  | annual fee | 2011 bill amount                    | \$315                              | \$75 |  |

|   |             |                                      |                         |
|---|-------------|--------------------------------------|-------------------------|
| Aquatic pesticide application   | annual fee  | 2011<br><u>2019 bill amount</u>      | \$644<br><u>\$1,110</u> |
| Snow dumps  | annual fee  | 2011<br><u>2019 bill amount</u>      | \$319 <u>\$550</u>      |
| Salt and sand storage pile  | annual fee  | 2011<br><u>2019 bill amount</u>      | \$429 <u>\$738</u>      |
| Log storage permit  | annual fee  | 2011<br><u>2019 bill amount</u>      | \$422 <u>\$727</u>      |
| General permit coverage for industrial storm water discharges (except construction) | annual fee  | 2011<br><u>2019 bill amount</u>      | \$300 <u>\$588</u>      |
| General permit coverage for marine aquaculture facility                             | annual fee  | 2011<br><u>2019 bill amount</u>      | \$134 <u>\$230</u>      |
| General permit coverage (other)   | annual fee  | 2011<br><u>2019 bill amount</u>      | \$164 <u>\$283</u>      |
| Experimental discharge license  | license fee | 2011<br><u>2019 bill amount</u>      | \$899<br><u>\$1,550</u> |
| New or amended mixing zone, in addition to other applicable fees                    | flat fee    | <del>\$5,368</del><br><u>\$9,254</u> | ---                     |
| Formation of sanitary district  | flat fee    | <del>\$402</del><br><u>\$693</u>     | ---                     |
| Transfer of license for residential or commercial sanitary wastewater               | flat fee    | <del>\$100</del><br><u>\$140</u>     | ---                     |

On an annual basis, municipalities and publicly owned treatment works whose combined sewer overflows have the potential to affect shellfish harvesting areas as determined by the department by virtue of their locations within estuarine or marine waters of the State must be assessed a surcharge on their wastewater discharge licenses in a total amount of \$12,000. This amount must be allocated among the municipalities and publicly owned treatment works according to their prior 3-year average annual flows as reported to the department.

On an annual basis, publicly owned treatment works whose outfalls licensed for the discharge of treated effluent cause adjacent shellfish growing areas to be closed for the purposes of harvesting shellfish must be assessed a license surcharge in a total amount of \$25,000. This amount must be allocated among the publicly owned treatment works according to the acreage that each licensed outfall closes. This acreage must be determined by the Department of Marine Resources in consultation with the department.

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION,  
DEPARTMENT OF**

**Maine Environmental Protection Fund 0421**

Initiative: Allocates funds for expenditures associated with license or permit activities such as application reviews, public hearings and appeals, the actual license or permit processing activities and associated post-license or post-permit compliance activities and enforcement activities as a result of license or permit noncompliance.

|                                    |                |                  |
|------------------------------------|----------------|------------------|
| <b>OTHER SPECIAL REVENUE FUNDS</b> | <b>2019-20</b> | <b>2020-21</b>   |
| All Other                          | \$0            | \$340,077        |
| OTHER SPECIAL REVENUE FUNDS TOTAL  | <u>\$0</u>     | <u>\$340,077</u> |

See title page for effective date.

**CHAPTER 632**

**H.P. 1340 - L.D. 1874**

**An Act To Amend the Laws  
Governing the Subminimum  
Wage**

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

**Sec. 1. 26 MRSA §666**, as amended by PL 2011, c. 483, §1, is further amended to read:

**§666. Workers with disabilities**