

# 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**

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

~~For any employment to which the minimum wage is applicable, the~~ The director may not issue to an employer for ~~any~~ a person with a disability a special certificate authorizing the employer to pay that person a wage less than the minimum wage, based on the ability of the person to perform the duties required for that employment in comparison to the ability of a person who does not have a disability to perform the same duties. ~~The director may hold hearings and conduct investigations as necessary for the purpose of fixing the special minimum wage for the person. A certificate is valid for 2 years from the date of issue and may be renewed by the director. The director may issue a certificate to cover several employees with disabilities as long as the employer provides documentation justifying the special minimum wage. An employer may not pay less than the minimum wage to a person by virtue of that person's having a mental or physical disability. A special certificate authorizing the payment of less than minimum wage to a person with a mental or physical disability issued pursuant to a law of this State or to a federal law is without effect.~~

See title page for effective date.

**CHAPTER 633**

**H.P. 1355 - L.D. 1889**

**An Act To Protect the Products of Maine Farmers**

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

**Sec. 1. 22 MRSA §2512, sub-§2, ¶O**, as enacted by PL 1999, c. 777, §1, is amended to read:

O. Establish conditions for storage and handling of livestock products and poultry products by persons engaged in the business of buying, selling, freezing, storing or transporting these products in or for intrastate commerce to ensure that these products are not adulterated or misbranded when delivered to the consumer; ~~and~~

**Sec. 2. 22 MRSA §2512, sub-§2, ¶P**, as amended by PL 2003, c. 20, Pt. E, §1, is further amended to read:

P. Establish the method for providing voluntary inspection and withdrawal of inspection of exotic animals, wild game, domesticated deer and domestic rabbits. These rules may also provide for the inspection of meat and meat food products derived from those animals. The commissioner shall provide voluntary inspection of bison, domesticated deer and ratite produced in the State, including the inspection of meat and meat food products derived from bison, domesticated deer and ratite, for which the commissioner shall charge a fee of \$35 per hour. The commissioner shall charge \$35 per hour

per inspection of meat and meat food products processed in the State but derived from bison, domesticated deer and ratite produced outside the State; ~~and~~

**Sec. 3. 22 MRSA §2512, sub-§2, ¶Q** is enacted to read:

Q. Establish procedures for the disposition of inspected meat, meat products, poultry and poultry products that have been found to be misbranded but not found to be adulterated.

See title page for effective date.

**CHAPTER 634**

**S.P. 651 - L.D. 1899**

**An Act To Amend Certain Motor Vehicle Laws**

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

**Sec. 1. 5 MRSA §12004-G, sub-§33-C**, as enacted by PL 1995, c. 376, §1, is repealed.

**Sec. 2. 29-A MRSA §101, sub-§27-B, ¶C**, as enacted by PL 2019, c. 335, §1, is amended to read:

C. Has a manufacturer's gross vehicle weight ~~rating~~ of 70,000 pounds or more;

**Sec. 3. 29-A MRSA §556, first ¶**, as amended by PL 2013, c. 530, §2, is further amended to read:

A motor vehicle is exempt from this subchapter, except sections 555, 555-A, 558-A, and 560 ~~and 562~~, as follows:

**Sec. 4. 29-A MRSA §562**, as amended by PL 2017, c. 327, §§16 and 17, is repealed.

**Sec. 5. 29-A MRSA §1401, sub-§9**, as amended by PL 2017, c. 27, §3 and affected by §10, is further amended to read:

**9. Use of biometric technology.** The Secretary of State may use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card and may use facial recognition technology to search its image records to provide information, including digital images, to law enforcement agencies only to aid in emergency circumstances involving an immediate threat to the life of a person or pursuant to rules adopted under this subsection. A person, agency or entity other than the Secretary of State may not use biometric technology to search the Secretary of State's image records.

The Secretary of State may adopt rules establishing additional circumstances in which it will provide infor-