

MAINE STATE LEGISLATURE

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**LAWS
OF THE
STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

**FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021**

**FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021**

**THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021**

**THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021**

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

**Augusta, Maine
2021**

~~terms or conditions determined necessary by the department relating to the transportation or handling of waste oil.~~

Sec. 15. 38 MRSA §1319-X, as enacted by PL 1993, c. 383, §38, is amended by amending the section headnote to read:

§1319-X. Criteria for development of waste oil storage facilities and biomedical waste facilities

Sec. 16. 38 MRSA §1319-X, first ¶, as enacted by PL 1993, c. 383, §38, is amended to read:

The following criteria for facility development apply to an application for a waste oil ~~storage~~ facility or a new or substantially modified biomedical waste treatment or disposal facility in addition to other criteria established by law or rule for those facilities.

Sec. 17. 38 MRSA §1319-X, last ¶, as enacted by PL 1993, c. 383, §38, is amended to read:

The department may not issue a license for a waste oil ~~storage~~ facility if the proposed facility overlies a significant ground water aquifer or a primary sand and gravel recharge area.

Sec. 18. 38 MRSA §1611, sub-§3, ¶A, as amended by PL 2019, c. 617, Pt. J, §1, is further amended to read:

A. Beginning January 15, 2021 a retail establishment may ~~use~~ provide a recycled paper bag or a reusable bag made of plastic to bag products at the point of sale as long as the retail establishment charges a fee of at least 5¢ per bag.

(1) All amounts collected pursuant to this paragraph are retained by the retail establishment and may be used for any lawful purpose.

(2) A retail establishment may not rebate or otherwise reimburse a customer any portion of the fee charged pursuant to this paragraph.

Sec. 19. 38 MRSA §3113, sub-§1-A is enacted to read:

1-A. Licensing fees. An applicant under this section shall include the following fees with a license application and an annual license renewal application.

A. An applicant for approval of a redemption center shall submit a \$100 license fee with an initial application and subsequent annual applications.

B. An applicant for approval as an initiator of deposit:

(1) Of a small brewery as defined in Title 28-A, section 2, subsection 29 or a small winery as defined in Title 28-A, section 2, subsection 29-B that produces no more than 50,000 gallons of its product or a bottler of water that annually sells no more than 250,000 containers, each containing no more than one gallon

of its product, shall submit an annual license fee of \$50;

(2) Of a small beverage producer whose total production of all beverages from all combined manufacturing locations is less than 50,000 gallons annually shall submit an annual license fee of \$50; and

(3) Other than under subparagraphs (1) or (2) shall submit an annual license fee of \$500.

C. An applicant for approval as a contracted agent for the collection of beverage containers shall submit a \$500 annual license fee with each application.

See title page for effective date.

CHAPTER 187

S.P. 536 - L.D. 1649

An Act To Make the Shared Living Program Accessible for Persons with Intellectual Disabilities or Autism

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

Sec. 1. 34-B MRSA §5437, first ¶, as amended by PL 2011, c. 542, Pt. A, §101, is further amended to read:

The department shall establish a contingency fund for use by ~~community based intermediate care facilities for persons with intellectual disabilities or autism and department clients residing in licensed boarding and foster homes or intermediate care facilities or participating in appropriate day treatment programs who qualify for services under this chapter~~. This fund must be used in accordance with the following provisions.

See title page for effective date.

CHAPTER 188

S.P. 426 - L.D. 1320

An Act To Allow Maine Shareholders of Banks and Members and Corporators of Credit Unions To Hold Virtual Meetings

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

Whereas, under current law, banks and credit unions chartered in this State are prohibited from holding