

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 3, 2024 to May 10, 2024**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 9, 2024**

**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**  
**2024**

**CHAPTER 610  
S.P. 996 - L.D. 2282**

**An Act to Provide Greater  
Transparency About the Cost  
of Insulin and to Promote the  
Availability of Low-cost Insulin  
in the State**

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

**Sec. 1. 22 MRSA §8731, sub-§1-B** is enacted to read:

**1-B. Category of insulin.** "Category of insulin" means rapid-acting, short-acting, intermediate-acting, long-acting and premixed insulin for which at least 2 licenses have been issued by the federal Food and Drug Administration and are actively marketed pursuant to such licensure in a category.

**Sec. 2. 22 MRSA §8731, sub-§2-A** is enacted to read:

**2-A. Insulin.** "Insulin" has the same meaning as in Title 32, section 13786-D, subsection 1, paragraph A and includes insulin or an insulin pen that is licensed under the federal Public Health Service Act, 42 United States Code, Section 262(a) or 262(k).

**Sec. 3. 22 MRSA §8732, sub-§3** is enacted to read:

**3. Notification by manufacturers of wholesale acquisition cost for insulin.** No later than February 15th of each year, a manufacturer of insulin shall notify the organization of the wholesale acquisition cost per pricing unit for the insulin produced by the manufacturer in each category of insulin.

**Sec. 4. 32 MRSA §13800-D, sub-§2,** as enacted by PL 2021, c. 303, §5, is amended to read:

**2. Exception.** A manufacturer that is a nonprofit organization or whose aggregate total of insulin sold, delivered or distributed in this State does not exceed 500,000 units of insulin in the year in which a registration fee under subsection 1 is due is not required to pay the registration fee. To qualify for the exception under this subsection, a manufacturer must demonstrate to the board, by January 31st of the year following the year in which the registration fee is due, in a manner determined by the board, that the aggregate total of insulin produced by the manufacturer that was sold, delivered or distributed within this State in the year in which the manufacturer seeks to claim the exception did not exceed 500,000 units. The board may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 611  
H.P. 1472 - L.D. 2284**

**An Act to Implement  
Recommendations in the  
Department of Inland Fisheries  
and Wildlife's Report on Wake  
Boats**

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

**Sec. 1. 12 MRSA §13001, sub-§27-A** is enacted to read:

**27-A. Wakesurfing activity.** "Wakesurfing activity" means an activity that involves using a surfboard, wakeboard or similar device while being propelled by a motorboat's wake or while on or in a motorboat's wake directly behind that motorboat.

**Sec. 2. 12 MRSA §13056, sub-§14** is enacted to read:

**14. Dissemination of educational materials required; watercraft dealers.** A watercraft dealer who sells a motorboat in the State shall provide the purchaser of that motorboat with information related to the boater safety and education courses offered by the department as well as information related to those operators who are required to complete those courses.

**Sec. 3. 12 MRSA §13068-A, sub-§18** is enacted to read:

**18. Operating motorboat for wakesurfing activity; minimum depth and distance from shore requirement.** A person may not operate a motorboat engaged in a wakesurfing activity in less than 15 feet of water or within 300 feet of the shoreline.

**A. A person who violates this subsection commits a civil violation for which a fine not to exceed \$100 may be adjudged.**

**B. A person who violates this subsection 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. 4. Outreach program; report.** The Department of Inland Fisheries and Wildlife shall:

1. Develop an outreach program to provide boater safety and education to persons engaged in wakesurfing activities in the State; and

2. Submit a report focused on wake boats and wakesurfing activities in the State to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters no later than February 1, 2027. The report must include information on the outreach program developed pursuant to subsection 1. The report must also include detailed

information on enforcement mechanisms and the level of enforcement undertaken, as measured by statistics when data are available, including the number of reported incidents, the number of complaints and the number of boats checked. The report may include information on enforcement challenges, the department's view on the appropriate water depth and distance from the shoreline for users engaged in a wakesurfing activity and any recommendations for statutory changes related to these issues. The committee is authorized to report out a bill based on the report to the 133rd Legislature in 2027.

For the purposes of this section, "wakesurfing activity" has the same meaning as in the Maine Revised Statutes, Title 12, section 13001, subsection 27-A.

See title page for effective date.

**CHAPTER 612**

**H.P. 856 - L.D. 1342**

**An Act to Increase Funding for the Prevention and Control of Invasive Aquatic Species**

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

**Sec. 1. 12 MRSA §10206, sub-§3, ¶C**, as amended by PL 2019, c. 264, §1, is further amended to read:

C. All revenues collected under the provisions of this Part relating to watercraft, including chapter 935, including fines, fees and other available money deposited with the Treasurer of State, must be distributed as undedicated revenue to the General Fund and the Department of Marine Resources according to a formula that is jointly agreed upon by the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources biannually that pays to the department the administrative costs of the Division of Licensing and Registration. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those costs must be verified by the Department of Marine Resources and the Department of Administrative and Financial Services. The remainder of revenues after reduction for administrative costs and after allowing for any necessary year-end reconciliation and accounting distribution must be allocated 75% to the department and 25% to the Department of Marine Resources and approved by the Department of Administrative and Financial Services, Bureau of the Budget.

Prior to January 1, 2020, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$10 fee for invasive species prevention and control. Beginning January 1, 2020, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$15 fee for invasive species prevention and control. Beginning January 1, 2025, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$25 fee for invasive species prevention and control. Beginning January 1, 2028, the fees outlined in section 13056, subsection 8, paragraphs A and B for watercraft operating on inland waters of the State each include a \$35 fee for invasive species prevention and control. This fee is disposed of as follows:

(1) ~~Eighty percent~~ Prior to January 1, 2025, 80% must be credited to the Invasive Aquatic Plant and Nuisance Species Fund. Beginning January 1, 2025, 70% must be credited to the Invasive Aquatic Plant and Nuisance Species Fund; and

(2) ~~Twenty percent~~ Prior to January 1, 2025, 20% must be credited to the Lake and River Protection Fund established within the department under section 10257. Beginning January 1, 2025, 30% must be credited to the Lake and River Protection Fund.

**Sec. 2. 12 MRSA §13056, sub-§8, ¶A**, as amended by PL 2019, c. 264, §3, is further amended to read:

A. For a watercraft requiring or whose owner requests a certificate of number and that is equipped with a motor having a manufacturer's horsepower rating of:

(1) Ten horsepower or less, prior to January 1, 2020 the fee is \$25 for operating on inland waters of the State and \$15 for operating only on tidal waters of the State. Beginning January 1, 2020, the fee under this subparagraph is \$30 for operating on inland waters of the State and \$15 for operating only on tidal waters of the State. Beginning January 1, 2025, the fee under this subparagraph is \$40 for operating on inland waters of the State and \$15 for operating only on tidal waters of the State. Beginning January 1, 2028, the fee under this subparagraph is \$50 for operating on inland waters of the State and \$15 for operating only on tidal waters of the State;

(2) Greater than 10 horsepower but not more than 50 horsepower, prior to January 1, 2020 the fee is \$30 for operating on inland waters of