

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

field employees, supplies and equipment needed; ~~and~~

Sec. 2. 35-A MRSA §3144, sub-§2, ¶F, as enacted by PL 2019, c. 120, §1, is amended to read:

F. Provisions to ensure the safety of the employees and external contractors engaged in emergency response efforts; and

Sec. 3. 35-A MRSA §3144, sub-§2, ¶G is enacted to read:

G. Procedures for the identification of and outreach plans regarding customers who have a documented need of electricity for essential medical equipment, including an apnea monitor for an infant, a cuirass respirator, a hemodialysis machine, an intravenous feeding machine, an intravenous infusion machine, an oxygen concentrator, a positive-pressure respirator, a respirator or ventilator, a rocking bed respirator, an aspirator, a tank-type respirator or any other medical equipment necessary for an individual whose medical condition is likely to be significantly triggered or exacerbated by a continued loss of electricity in a way that will adversely impact that individual's health.

See title page for effective date.

CHAPTER 37

H.P. 495 - L.D. 765

An Act to Amend the Laws Governing the Controlled Substances Prescription Monitoring Program

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

Sec. 1. 22 MRSA §7246, sub-§5, as amended by PL 2017, c. 360, §2, is further amended to read:

5. Prescriber. "Prescriber" means a licensed health care professional or veterinarian with prescriptive authority, including a licensed health care professional or veterinarian who uses telehealth in providing health care to prescribe controlled substances to patients located in this State.

Sec. 2. 22 MRSA §7246, sub-§8 is enacted to read:

8. Telehealth. "Telehealth" has the same meaning as in Title 24-A, section 4316, subsection 1, paragraph C.

Sec. 3. 22 MRSA §7249, sub-§1, as amended by PL 2017, c. 360, §3, is further amended to read:

1. Information required. Except as provided in subsection 1-A or 1-B, each dispenser shall submit to the department, by electronic means or other format

specified in a waiver granted by the department, specific items of information regarding dispensed controlled substances as determined by the department from the following list: through rules adopted to implement this subsection.

~~A. The dispenser identification number;~~

~~B. The date the prescription was filled;~~

~~C. The prescription number;~~

~~D. Whether the prescription is new or is a refill;~~

~~E. The National Drug Code (NDC) for the drug dispensed;~~

~~F. The quantity dispensed;~~

~~G. The dosage;~~

~~H. The patient identification number;~~

~~I. The patient name;~~

~~J. The patient address;~~

~~K. The patient date of birth;~~

~~L. The prescriber identification number;~~

~~M. The date the prescription was issued by the prescriber; and~~

~~N. The department issued serial number if the department chooses to establish a serial prescription system.~~

Sec. 4. 22 MRSA §7250, sub-§8, as enacted by PL 2017, c. 460, Pt. F, §6, is amended to read:

8. Report regarding program. The department shall provide to the joint standing committee of the Legislature having jurisdiction over health and human services matters on or before ~~January~~ April 15th of each year, and at such other times as the committee requests, data pertaining to the aggregate number of prescriptions of each drug required to be included in the program, the number of prescribers participating in the program categorized by specialty, any historical trends or patterns in prescribing practices within the State, any progress in the implementation of information sharing agreements authorized by subsection 4-A and any other information pertaining to the work of the program as requested by the committee that is reasonably available to the department, as long as all information reasonably likely to reveal the patient or the prescriber or other person who is the subject of the information has been removed.

Sec. 5. 22 MRSA §7254, as amended by PL 2017, c. 213, §11, is repealed.

Sec. 6. 32 MRSA §2210, sub-§2, ¶A, as enacted by PL 2015, c. 488, §13, is amended by amending subparagraph (5) to read:

(5) Other circumstances determined in rule by the Department of Health and Human Services

~~pursuant to Title 22, section 7254, subsection 2; and~~

Sec. 7. 32 MRSA §2600-C, sub-§2, ¶A, as enacted by PL 2015, c. 488, §17, is amended by amending subparagraph (5) to read:

(5) Other circumstances determined in rule by the Department of Health and Human Services ~~pursuant to Title 22, section 7254, subsection 2; and~~

Sec. 8. 32 MRSA §3300-F, sub-§2, ¶A, as enacted by PL 2015, c. 488, §20, is amended by amending subparagraph (5) to read:

(5) Other circumstances determined in rule by the Department of Health and Human Services ~~pursuant to Title 22, section 7254, subsection 2; and~~

Sec. 9. 32 MRSA §3657, sub-§2, ¶A, as enacted by PL 2015, c. 488, §23, is amended by amending subparagraph (5) to read:

(5) Other circumstances determined in rule by the Department of Health and Human Services ~~pursuant to Title 22, section 7254, subsection 2; and~~

Sec. 10. 32 MRSA §18308, sub-§2, ¶A, as enacted by PL 2015, c. 488, §32, is amended by amending subparagraph (5) to read:

(5) Other circumstances determined in rule by the Department of Health and Human Services ~~pursuant to Title 22, section 7254, subsection 2; and~~

See title page for effective date.

**CHAPTER 38
H.P. 559 - L.D. 873**

An Act to Expand Municipal Authority over Utility Pole Permits

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

Sec. 1. 35-A MRSA §2517, sub-§1, as amended by PL 1999, c. 753, §13, is further amended to read:

1. Revocation of pole location by municipal officers. When the municipal officers of a municipality having a population of more than ~~40,000~~ 30,000 inhabitants determine, after notice and hearing, that public safety and the public welfare require the revocation of a location for poles for conveying electricity or for the transmission of telephone messages already erected in a public street or way other than a state or a state-aid high-

way outside the compact area of an urban compact municipality as defined in Title 23, section 754, they may revoke the location and order the poles removed. The person that owns the poles shall remove them within a reasonable time. Other suitable locations or the right to use other poles jointly must be granted by the municipal officers to the person.

See title page for effective date.

**CHAPTER 39
S.P. 395 - L.D. 906**

An Act to Update the Solar Energy Development Reporting Date Deadline

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

Sec. 1. 35-A MRSA §3473, sub-§1-A, as enacted by PL 2023, c. 307, §4, is amended to read:

1-A. Reporting. By ~~January 1st~~ February 10th of each year, the commission shall provide a summary report of its findings under subsection 1 to the joint standing committee of the Legislature having jurisdiction over energy matters.

See title page for effective date.

**CHAPTER 40
S.P. 462 - L.D. 1101**

An Act to Address the Limited Availability of Counsel in Courts to Represent Indigent Parties in Matters Affecting Their Fundamental Rights

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

Whereas, this legislation is designed to address an existing crisis in the courts arising from the limited availability of counsel qualified by the Maine Commission on Public Defense Services to represent indigent parties in criminal and child protection proceedings affecting their fundamental rights; and

Whereas, when a court appoints counsel to represent an indigent party, compensation must be made available to counsel, whether the commission or the court determined that counsel is qualified to provide the representation; and

Whereas, a Maine Superior Court order issued in *Robbins v. Billings, et al.*, No. CV-22-054 (Me. Super. Ct., Ken. Cty., March 7, 2025) (Order After Phase One