

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

C. A management plan must be developed with advice and input from the advisory council for the species for which the plan is developed, if such an advisory council exists.

See title page for effective date.

**CHAPTER 288
H.P. 610 - L.D. 859**

**An Act To Increase Ethics and
Transparency in Government
Service**

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

Sec. 1. 3 MRSA §318-A is enacted to read:

§318-A. Prohibition

Beginning January 1, 2015, a person may not engage in activities that require registration as a lobbyist or lobbyist associate as defined by section 312-A, subsections 10 and 10-A if that person has within the previous 12 months been employed in a position for which the salary is subject to adjustment by the Governor under Title 2, section 6 or that is described as a major policy-influencing position under Title 5, chapter 71. A person who violates this section may be assessed a fine of \$100 for every day the person engages in lobbying.

See title page for effective date.

**CHAPTER 289
S.P. 307 - L.D. 882**

**An Act To Amend the Laws
Governing Confidentiality of
Health Care Information To
Enhance Public Safety**

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

Sec. 1. 22 MRSA §1711-C, sub-§6, ¶D, as amended by PL 1999, c. 512, Pt. A, §5 and affected by §7 and c. 790, Pt. A, §§58 and 60, is further amended to read:

D. To appropriate persons when a health care practitioner or facility that is providing or has provided diagnosis, treatment or care to the individual ~~has determined, based on reasonable professional judgment, that the individual poses a direct threat of imminent harm to the health or safety of any individual in good faith believes that disclosure is made to avert a serious threat to health or safety and meets the conditions, as ap-~~

licable, described in 45 Code of Federal Regulations, Section 164.512(j) (2012). A disclosure pursuant to this paragraph must protect the confidentiality of the health care information consistent with sound professional judgment;

Sec. 2. 22 MRSA §1711-C, sub-§6, ¶E-1 is enacted to read:

E-1. To federal, state or local governmental entities if the health care practitioner or facility that is providing diagnosis, treatment or care to an individual has determined in the exercise of sound professional judgment that the following requirements, as applicable, are satisfied:

(1) With regard to a disclosure for public health activities, for law enforcement purposes or that pertains to victims of abuse, neglect or domestic violence, the provisions of 45 Code of Federal Regulations, Section 164.512(b), (c) or (f) (2012) must be met; and

(2) With regard to a disclosure that pertains to a victim of domestic violence or a victim of sexual assault, the provisions of 45 Code of Federal Regulations, Section 164.512(c)(1)(iii)(A) (2012) and Section 164.512(c)(1)(iii)(B) (2012) must be met.

See title page for effective date.

**CHAPTER 290
H.P. 627 - L.D. 903**

**An Act To Enhance the
Development and
Implementation of Integrated
Pest Management Programs**

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

Sec. 1. 7 MRSA §607, sub-§6, as repealed and replaced by PL 2007, c. 466, Pt. A, §25, is amended to read:

6. Registration fee; programs funded. The applicant desiring to register a pesticide must pay an annual registration fee of ~~\$150~~ \$160 for each pesticide registered for that applicant. Annual registration periods expire on December 31st or in a manner consistent with Title 5, section 10002, whichever is later.

The board shall monitor fee revenue and expenditures under this subsection to ensure that adequate funds are available to fund board and related department programs and, to the extent funds are available, to provide grants to support stewardship programs. The board shall use funds received under this subsection to provide: