

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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:

A. An annual grant of no less than \$135,000 to the University of Maine Cooperative Extension, on or about April 1st, for development and implementation of integrated pest management programs. The University of Maine may not charge overhead costs against this grant; and

B. Funding for public health-related mosquito monitoring programs or other pesticide stewardship and integrated pest management programs, if designated at the discretion of the board, as funds allow after expenditures under paragraph A. The board shall seek the advice of the Integrated Pest Management Council established in section 2404 in determining the most beneficial use of the funds, if available, under this subsection.

By February 15th annually, the board shall submit a report to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters detailing the grants funded by the fee under this subsection. The annual report must include a recommendation by the board as to whether the amount of the fee is adequate to fund the programs described in this subsection. The joint standing committee may report out a bill to the Legislature based on the board's recommendations.

Sec. 2. 7 MRSA §2406 is enacted to read:

§2406. University of Maine Cooperative Extension integrated pest management programs

The University of Maine Cooperative Extension shall develop and implement integrated pest management programs. The extension may seek the advice of the Integrated Pest Management Council established in section 2404 in establishing the programs. The extension shall use the funds deposited pursuant to section 607 for the purposes of this section. The extension shall administer the grant pursuant to section 607, subsection 6, paragraph A.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

University of Maine Cooperative Extension N147

Initiative: Allocates funds for the University of Maine Cooperative Extension to develop and implement integrated pest management programs.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$135,000	\$135,000
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,000	\$135,000

Sec. 4. Effective date. This Act takes effect January 1, 2014.

Effective January 1, 2014.

CHAPTER 291

H.P. 643 - L.D. 919

An Act To Require an Operator To Provide Evidence of Liability Insurance or Financial Responsibility at the Scene of an Accident

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

Sec. 1. 29-A MRSA §2252, as amended by PL 1999, c. 670, §1, is further amended to read:

§2252. Accidents involving death or personal injury

1. Operator required to stop. The operator of a vehicle involved in an accident anywhere that results in personal injury or death to a person shall immediately stop the vehicle at the scene of the accident or stop as close as possible and immediately return to the scene.

2. Provide information. The operator shall remain at the scene and provide to the injured person or someone acting for the injured person or the operator or an occupant of the other vehicle:

- A. The operator's name and address;
- B. The registration number of the operator's vehicle; ~~and~~
- C. An opportunity to examine the driver's license if the ~~other injured person or someone acting for the injured person or the operator or an occupant of the other vehicle~~ so requests and the license is available; ~~and~~
- D. Evidence of liability insurance or financial responsibility as required by section 1601 if the injured person or someone acting for the injured person or the operator or occupant of the other vehicle so requests.

3. Render assistance. The operator shall render reasonable assistance to an injured person.

4. Violation. A person commits a Class D crime if that person fails to comply with this section, except that a person commits a traffic infraction if that person fails to comply with subsection 2, paragraph D.

5. Aggravated punishment category. Notwithstanding subsection 4, a person commits a Class C crime if that person intentionally, knowingly or recklessly fails to comply with this section and the acci-