

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
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IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2015

census of employment and wages. Notwithstanding this subsection, with respect to a call center in Aroostook or Washington county and upon approval of the commissioner, a qualified business located in a county in which the average annual unemployment rate at the time of certification for the most recent calendar year is greater than the state average for that same year qualifies for a phase-in of salary threshold requirements. A qualified business under this provision must meet 70% of the average weekly wage as derived from the quarterly census of employment and wages in the first year of certification, 80% of the average weekly wage as derived from the quarterly census of employment and wages in the 2nd year of certification and 90% of the average weekly wage as derived from the quarterly census of employment and wages in all following years of certification. Failure to meet any of these requirements results in automatic revocation of certification.

Sec. 6. 36 MRSA §6753, sub-§12-A is enacted to read:

12-A. Quarterly census of employment and wages. "Quarterly census of employment and wages" means the comprehensive tabulation of employment and wage information for workers produced by the quarterly census of employment and wages program, a cooperative program involving the federal Department of Labor, Bureau of Labor Statistics and the state employment security agencies.

See title page for effective date.

CHAPTER 369

H.P. 381 - L.D. 557

An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana

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

Sec. 1. 20-A MRSA §6306 is enacted to read:

§6306. Eligibility to attend school

A child who holds a written certification for the medical use of marijuana under Title 22, section 2423-B may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

Sec. 2. 22 MRSA §2426, sub-§1, ¶B, as enacted by IB 2009, c. 1, §5, is amended to read:

B. Possess Except as provided in subsection 1-A, possess marijuana or otherwise engage in the medical use of marijuana:

- (1) In a school bus;
- (2) On the grounds of any preschool or primary or secondary school; or
- (3) In any correctional facility;

Sec. 3. 22 MRSA §2426, sub-§1-A is enacted to read:

1-A. School exceptions. Notwithstanding subsection 1, paragraph B, a primary caregiver designated pursuant to section 2423-A, subsection 1, paragraph E may possess and administer marijuana in a nonsmokeable form in a school bus and on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled only if:

A. A medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana under this chapter; and

B. Possession of marijuana in a nonsmokeable form is for the purpose of administering marijuana in a nonsmokeable form to the minor qualifying patient.

See title page for effective date.

CHAPTER 370

H.P. 447 - L.D. 666

An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record

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

Sec. 1. 22 MRSA §1711-B, sub-§3, ¶C, as amended by PL 1997, c. 793, Pt. A, §5 and affected by §10, is further amended to read:

C. The designee of a durable health care power of attorney executed by the person who is the subject of the record, at such time as the power of attorney is in effect; ~~or~~

Sec. 2. 22 MRSA §1711-B, sub-§3, ¶D, as enacted by PL 1997, c. 793, Pt. A, §6 and affected by §10, is amended to read:

D. The agent, guardian or surrogate pursuant to the Uniform Health-care Decisions Act; ~~or~~

Sec. 3. 22 MRSA §1711-B, sub-§3, ¶E is enacted to read: