

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Data, Research and Vital Statistics Z037

Initiative: Provides a one-time allocation for updates to the marriage license and marriage certificate forms in the online vital records ordering system.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$51,643	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$51,643	\$0

See title page for effective date.

CHAPTER 83

H.P. 191 - L.D. 228

**An Act To Clarify the
Licensing of Certified Clinical
Supervisors**

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

Sec. 1. 32 MRSA §6212, sub-§12, as amended by PL 2007, c. 402, Pt. U, §7, is further amended to read:

12. Clinical supervision. For purposes of direct clinical supervision of licensed practitioners in the field of alcohol and drug counseling, the board may certify upon receipt of an application and fee under section 6215 licensed psychologists, physicians, registered clinical nurse specialists, clinical professional counselors, clinical social workers and any other licensed or certified mental health professionals who are qualified to provide alcohol and drug counseling services by virtue of the requirements for that profession and who meet the requirements established by board rules license certified clinical supervisors.

Sec. 2. 32 MRSA §6214-E is enacted to read:

**§6214-E. Certified clinical supervisors;
qualifications for licensure**

1. Eligibility. To be eligible to practice as a certified clinical supervisor, an applicant must:

A. Meet the requirements of subsection 2 or 3;
and

B. Have paid an application and license fee under section 6215.

2. Certain licensed mental health professionals. An applicant who is a licensed psychologist, licensed physician, registered clinical nurse specialist,

licensed clinical professional counselor, licensed clinical social worker, licensed or certified mental health professional, licensed marriage and family therapist or licensed pastoral counselor who is qualified to provide alcohol and drug counseling services by virtue of the requirements for that profession is eligible for licensure under this section if the applicant:

A. Possesses documented proof of 24 hours of training in clinical supervision including at least 6 hours of training in each of the following areas: skills assessment and evaluation; counselor development; management and administration; and professional responsibility; and

B. Meets one of the following requirements:

(1) Possesses documented proof of 1,000 hours of practice in alcohol and drug counseling under the applicant's qualifying license; or

(2) Has work experience treating individuals with co-occurring mental health and substance use disorders and at least 3 years of experience supervising clinicians within a program licensed to provide treatment to individuals with co-occurring mental health and substance use disorders.

3. Licensed alcohol and drug counselors. An applicant who is a licensed alcohol and drug counselor is eligible for licensure under this section if the applicant possesses documented proof of 24 hours of training in clinical supervision including at least 6 hours of training in each of the following areas: skills assessment and evaluation; counselor development; management and administration; and professional responsibility.

See title page for effective date.

CHAPTER 84

S.P. 139 - L.D. 475

**An Act Concerning Caller
Access to E-9-1-1 Call
Recordings**

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

Sec. 1. 25 MRSA §2929, sub-§4, ¶B-1 is enacted to read:

B-1. Directly to the clerk's office of a court presiding over a protection from abuse or protection from harassment action if a party in the action made one or more E-9-1-1 calls relevant to the action and that party, or that party's attorney, contacts the custodian of the audio recordings of the call or calls and requests that the recordings be

forwarded to that clerk's office for use in a hearing on the complaint for protection from abuse or complaint for protection from harassment. At its discretion, the court presiding over the action may permit the parties to the action, and their attorneys if the parties are represented, to access the recordings and, on a finding of good cause, may permit copies of the recordings to be provided to the parties and their attorneys if the parties are represented. In making a request for recordings pursuant to this paragraph, the party making the request, or that party's attorney, shall provide to the custodian of the audio recordings the names of the parties to the protection from abuse or protection from harassment action, the name of the court presiding over the action and the docket number of the action. The request must be made in writing, including, but not limited to, by electronic mail, and must be made so as to provide a reasonable amount of time for the custodian to search for, retrieve and send the recordings to the clerk's office of the presiding court. The recordings must be sent in a format used by the custodian of the recordings and the courts;

See title page for effective date.

CHAPTER 85

H.P. 397 - L.D. 540

**An Act Regarding
Qualifications for District
Attorneys**

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

Sec. 1. 30-A MRSA §251, sub-§2, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; c. 104, Pt. C, §§8 and 10, is further amended to read:

2. Qualifications. Only attorneys admitted to the general practice of law in this an attorney who is a member in good standing of the bar of the State and who reside resides in the prosecutorial district may be elected or appointed district attorney. Removal from the prosecutorial district or disbarment or suspension from the practice of law vacates the office. For purposes of this subsection, a person is a "member in good standing of the bar of the State" if that person is admitted to the practice of law in this State, is presently registered with the Board of Overseers of the Bar as an active practitioner and is not currently disbarred or suspended from practice in this State pursuant to Title 4, chapter 17, subchapter 2 or the Maine Bar Rules.

See title page for effective date.

CHAPTER 86

S.P. 177 - L.D. 555

**An Act To Reduce Colorectal
Cancer Incidence and
Mortality by Updating
Screening Coverage**

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

Sec. 1. 24-A MRSA §2763, sub-§1, as enacted by PL 2007, c. 516, §2 and affected by §5, is amended to read:

1. Colorectal cancer screening. For the purposes of this section, "colorectal cancer screening" means ~~a all~~ colorectal cancer ~~examination~~ examinations and laboratory ~~test~~ tests recommended by a health care provider in accordance with the most recently published colorectal cancer screening guidelines of a national cancer society.

Sec. 2. 24-A MRSA §2763, sub-§2, ¶A, as enacted by PL 2007, c. 516, §2 and affected by §5, is amended to read:

~~A. Fifty years of age or older~~ At average risk for colorectal cancer according to the most recently published colorectal cancer screening guidelines of a national cancer society; or

Sec. 3. 24-A MRSA §2763, sub-§2, ¶B, as enacted by PL 2007, c. 516, §2 and affected by §5, is amended to read:

~~B. Less than 50 years of age and at~~ At high risk for colorectal cancer according to the most recently published colorectal cancer screening guidelines of a national cancer society.

Sec. 4. 24-A MRSA §2847-N, sub-§1, as enacted by PL 2007, c. 516, §3 and affected by §5, is amended to read:

1. Colorectal cancer screening. For the purposes of this section, "colorectal cancer screening" means ~~a all~~ colorectal cancer ~~examination~~ examinations and laboratory ~~test~~ tests recommended by a health care provider in accordance with the most recently published colorectal cancer screening guidelines of a national cancer society.

Sec. 5. 24-A MRSA §2847-N, sub-§2, ¶A, as enacted by PL 2007, c. 516, §3 and affected by §5, is amended to read:

~~A. Fifty years of age or older~~ At average risk for colorectal cancer according to the most recently published colorectal cancer screening guidelines of a national cancer society; or

Sec. 6. 24-A MRSA §2847-N, sub-§2, ¶B, as enacted by PL 2007, c. 516, §3 and affected by §5, is amended to read: