

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 THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

**CHAPTER 81
H.P. 589 - L.D. 784**

**An Act To Amend the Law
Governing Approval Authority
over and Oversight of Certified
Nursing Assistant Educational
Programs**

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

Sec. 1. 32 MRSA §2104, sub-§4, ¶B, as amended by PL 1993, c. 600, Pt. A, §114, is further amended to read:

B. That it is prepared to meet those standards established by the board; and

Sec. 2. 32 MRSA §2104, sub-§4, ¶C, as amended by PL 2009, c. 628, §3, is further amended to read:

C. That it is prepared to meet those standards for educational programming and faculty as established by the Department of Health and Human Services; and.

Sec. 3. 32 MRSA §2104, sub-§4, ¶D, as amended by PL 1993, c. 600, Pt. A, §114, is repealed.

See title page for effective date.

**CHAPTER 82
S.P. 67 - L.D. 797**

**An Act To Create a Registry
To Improve Access to
Automated External
Defibrillators**

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

Sec. 1. 32 MRSA §88-C is enacted to read:

§88-C. Registry of automated external defibrillators

The director shall establish a registry of publicly accessible automated external defibrillators, as defined in Title 22, section 2150-C, that are located within the State for the purpose of assisting a person or a law enforcement officer, firefighter or emergency medical services person who calls for assistance in an emergency situation.

The director may accept grants, funds, equipment and services to establish, operate and maintain the registry of publicly accessible automated external defibrillators. The department shall adopt rules regarding information collected for, maintained by and released by the registry. Rules adopted pursuant to this paragraph

are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 83
S.P. 71 - L.D. 799**

**An Act To Amend the
Procedures for Veterinarians
in the Controlled Substances
Prescription Monitoring
Program**

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

Sec. 1. 32 MRSA §4878, sub-§2, as amended by PL 2017, c. 360, §9, is further amended to read:

2. Electronic prescribing. A veterinarian licensed under this chapter whose scope of practice includes prescribing a benzodiazepine or an opioid medication and who has the capability to electronically prescribe shall prescribe all benzodiazepine or opioid medication electronically by July 1, ~~2022~~ 2025 or when an electronic platform for prescribing is widely available for veterinarians if that occurs before July 1, ~~2022~~ 2025 as determined by the Commissioner of Health and Human Services. A veterinarian licensed under this chapter unable to comply with the electronic prescribing requirements of this subsection may request a waiver from the Commissioner of Health and Human Services for circumstances in which exceptions are appropriate as determined by the Commissioner of Health and Human Services.

See title page for effective date.

**CHAPTER 84
H.P. 736 - L.D. 998**

**An Act To Amend the
Continuing Education
Requirement for Pharmacists**

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

Sec. 1. 32 MRSA §13735, first ¶, as amended by PL 2013, c. 308, §3, is further amended to read:

An annual renewal license may not be issued by the board until the applicant certifies to the board that, during the calendar year preceding an application for renewal, the applicant has participated in not less than 15 hours of approved courses of continuing professional pharmaceutical education as set out in this section. ~~Of~~ For a pharmacist authorized to administer drugs and immunizations, of the 15 hours to be completed, at least 2

hours must be in board-approved courses on drug administration as described in section 13702-A, subsection 28. A pharmacist who enters into a collaborative practice agreement must agree to complete, in each year of the agreement, 5 of the 15 hours required in this section in the areas of practice covered by the agreement. The continuing professional pharmaceutical educational courses consist of postgraduate studies, institutes, seminars, workshops, lectures, conferences, extension studies, correspondence courses or such other forms of continuing professional pharmaceutical education as may be approved by the board.

See title page for effective date.

CHAPTER 85

S.P. 346 - L.D. 1078

An Act To Promote Traffic Safety in Emergency Situations

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

Sec. 1. 29-A MRSA §2091, sub-§1, as enacted by PL 2005, c. 167, §1, is amended to read:

1. **Definition.** For the purposes of this section, "public safety traffic flagger" means a municipal firefighter, a volunteer firefighter or a member of an emergency medical service licensed by the Department of Public Safety, Maine Emergency Medical Services who is trained in accordance with subsection 2 and authorized by the chief official of the fire department or emergency medical service to control vehicular traffic or a nonsworn member of a law enforcement agency who is trained in accordance with subsection 2 and authorized by the chief official of the law enforcement agency.

See title page for effective date.

CHAPTER 86

S.P. 371 - L.D. 1109

An Act To Align Equipment Requirements for Electric Bicycles with National Manufacturing Standards

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

Sec. 1. 29-A MRSA §2063, sub-§14, ¶G, as enacted by PL 2019, c. 349, §7, is amended to read:

G. ~~An~~ A Class 3 electric bicycle must be equipped with a speedometer that displays the speed the electric bicycle is traveling in miles per hour.

See title page for effective date.

CHAPTER 87

S.P. 135 - L.D. 309

An Act Relating to Hunters Required To Hire Guides

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

Sec. 1. 12 MRSA §11226-B is enacted to read:

§11226-B. Canadian big game hunter; guide required

1. **Definitions.** For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Big game" means bear, deer and moose.

B. "Canadian border province resident" means a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec.

C. "Family member" means a parent, spouse, daughter or son or a grandchild who is less than 18 years of age.

2. **Prohibition.** Except as provided in this subsection, a Canadian border province resident may not hunt big game or wild turkey without being accompanied by a person who holds a valid guide license pursuant to chapter 927 authorizing that person to act as a hunting guide. The commissioner may authorize a Canadian border province resident and that person's family members to hunt big game or wild turkey without being in the presence of a guide if the Canadian border province resident:

A. Owns or leases land in the State;

B. Is current on property taxes assessed for the land owned in the State; and

C. Keeps property owned or leased in the State open for hunting by the public.

A Canadian border province resident who wishes to hunt big game or wild turkey without a guide must, at the time of application for a hunting license or permit to hunt big game or wild turkey, provide documentation to the commissioner that that person meets the requirements of this subsection. Upon determining that the applicant meets the criteria in this subsection and the applicant is not otherwise ineligible to hold a license or permit under this Part, the commissioner shall issue written authorization to hunt big game or wild turkey without a guide to that Canadian border province resident and that person's family members who are Canadian border province residents and who hold a valid license to hunt big game or wild turkey in the State.

3. **Penalty.** The following penalties apply to violations of this section.