

# MAINE STATE LEGISLATURE

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**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.**

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**Augusta, Maine**  
**2021**

the applicant's qualifications for licensure are substantially similar to the requirements in this chapter for the relevant license.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 11, 2021.

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**CHAPTER 164  
S.P. 19 - L.D. 12**

**An Act To Require Annual  
Information Reporting by the  
Maine Information and  
Analysis Center**

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

**Sec. 1. 25 MRSA c. 201** is enacted to read:

**CHAPTER 201**

**MAINE INFORMATION AND ANALYSIS  
CENTER**

**§1801. Maine Information and Analysis Center annual reporting requirement**

The Department of Public Safety, Maine Information and Analysis Center, a cooperative effort between the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the State Police, established by executive order of the Governor and referred to in this chapter as "the center," shall report annually in writing by April 1st beginning in 2022 to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters regarding the performance of the center. The report must include a general narrative about the types of cases, crimes, incidents and reports the center has reviewed and evaluated in a manner that protects personal privacy and the integrity of the work of the center. The report must include both privacy audits performed in the prior year and de-identified information from those audits regarding the cases, crimes, incidents and reports on which the center worked during the prior year that were reviewed during the audits.

See title page for effective date.

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**CHAPTER 165  
S.P. 46 - L.D. 38**

**An Act To Clarify the Timing  
of an Appeal of a Finding  
Regarding Involuntary Mental  
Health Treatment at a  
Designated Nonstate Mental  
Health Institution**

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

**Sec. 1. 34-B MRSA §3861, sub-§3, ¶F,** as amended by PL 2011, c. 657, Pt. DD, §4, is further amended to read:

F. The provisions of this paragraph apply to the review and appeal of an order of the clinical review panel entered under paragraph B.

(1) The order of the clinical review panel at a state mental health institute is final agency action that may be appealed to the Superior Court in accordance with Rule 80C of the Maine Rules of Civil Procedure.

(2) The order of the clinical review panel at a designated nonstate mental health institution may be reviewed by the commissioner or the commissioner's designee upon receipt of a written request from the patient submitted no later than one business day after the patient receives the order of the clinical review panel. Within 3 business days of receipt of the request for review, the designated nonstate mental health institution shall submit the full clinical review panel record to the commissioner or the commissioner's designee. Within 3 business days of receipt of the request for review, the patient and the designated nonstate mental health institution may submit written arguments to the commissioner or the commissioner's designee. The commissioner or the commissioner's designee shall review the full clinical review panel record and issue a written decision and any written arguments submitted pursuant to this subparagraph for abuse of discretion, error of law or findings not supported by substantial evidence in the record. Within 3 business days of the receipt of the full clinical review panel record and any written arguments, the commissioner or the commissioner's designee shall issue a decision. The decision of the commissioner or the commissioner's designee may affirm the order, modify the order or vacate the order. The decision of the commissioner or the commissioner's designee takes effect one business day after the commissioner or the commissioner's designee issues a