

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.

Augusta, Maine
2021

**CHAPTER 182
H.P. 896 - L.D. 1221**

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Public Records
Exceptions**

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

Sec. 1. 10 MRSA §1107, first ¶, as amended by PL 1991, c. 137, §4, is further amended to read:

The Attorney General upon the Attorney General's own initiative or upon petition of 50 or more citizens of this State, shall investigate all seeming violations of sections 1102-A and 1105 to 1107, all contracts, combinations or conspiracies in restraint of trade or commerce, and all monopolies, and may require, by summons, the attendance and testimony of witnesses and the production of books and papers before the Attorney General relating to any such matter under investigation. The summons must be served in the same manner as summons for witnesses in criminal cases, and all provisions of law relating thereto apply to summonses issued under this section so far as they are applicable. All investigations or hearings thereunder or connected therewith to which witnesses are summoned or called upon to testify or to produce books, records or correspondence are ~~public or private at the choice of the person summoned~~ confidential and must be held in the county where the act to be investigated is alleged to have been committed, or if the investigation is on petition it must be held in the county in which the petitioners reside. Books, records or correspondence produced in response to a summons issued under this section may be disclosed by the Attorney General with the consent of the producing party and in court pleadings or other papers filed in court. The expense of such investigation must be paid from the appropriation provided by Title 5, section 203.

Sec. 2. 12 MRSA §550-B, sub-§6, as amended by PL 2013, c. 405, Pt. C, §7, is further amended to read:

6. Information use. Information collected by the Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey under this section is subject to Title 1, chapter 13, subchapter 1, ~~unless the well drilling company to whom the information belongs or pertains requests that it be designated as confidential and the bureau has determined it contains proprietary information. For the purposes of this subsection, "proprietary information" means information that is a trade secret or production, commercial or financial information the disclosure of which would impair the competitive position of the person submitting the infor-~~

~~mation and would make available information not otherwise publicly available.~~ The Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey shall make information collected under this chapter available to any federal, state or municipal entity or authorized agent of such entity.

See title page for effective date.

**CHAPTER 183
H.P. 948 - L.D. 1287**

**An Act To Allow Unlicensed
Persons To Sell Caskets To
Bury Human Remains**

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

Sec. 1. 32 MRSA §1400, sub-§5, as amended by PL 2001, c. 169, §2, is further amended to read:

5. Practice of funeral service. "Practice of funeral service" means the engagement of a person in the care or disposition of the human remains or in the practice of disinfecting and preparing by embalming or otherwise the human remains for the funeral service, transportation of human remains to the place of burial or cremation, or the practice of helping to meet the emotions and disposition of the bereaved or the practice of funeral directing or embalming as presently known, whether under these titles or designations or otherwise. "Practice of funeral service" also means making arrangements for funeral services ~~or selling funeral supplies to the public~~ or making financial arrangements for the rendering of such services ~~or the sale of such supplies.~~ "Practice of funeral service" does not mean the ownership or operation of a cemetery, crematorium, mausoleum or columbarium or any other facility used for burial of human remains. "Practice of funeral service" does not include the transportation of human remains by an authorized person. "Practice of funeral service" does not include the manufacturing or selling of caskets or alternative containers.

A license for the practice of funeral service as used in this chapter is the license given to a person who is engaged in the practice of funeral service as above defined.

See title page for effective date.