

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

teacher and participating students. "Remote instruction" includes real-time transmissions and recorded sessions.

2. Distribution or retransmission. Notwithstanding any provision of law to the contrary and except as authorized by a public or private school for the purposes of remote instruction, a person may not distribute or retransmit a recorded session of remote instruction or any part thereof without the express written consent of the public or private school.

3. Violation. A person who violates this section commits a civil violation for which a fine of not less than \$200 nor more than \$500 may be adjudged.

See title page for effective date.

**CHAPTER 384
S.P. 299 - L.D. 884**

**An Act To Restrict the
Collection of Surveillance
Video, Information and Data
Regarding Lawful Firearm
Purchases**

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

Sec. 1. 25 MRSA §1510 is enacted to read:

§1510. Collection of information regarding lawful firearm purchases

Except as necessary for the purposes of investigating suspected criminal activity or terrorism, administering civil, criminal or juvenile justice pursuant to Title 16, chapter 9 or protecting a person's health and welfare under Title 34-B, chapter 3, subchapter 4, article 3, the State Police may not collect in its records any surveillance video, information or data concerning lawful firearm purchases obtained by the Maine Information and Analysis Center created by executive order of the Governor issued December 8, 2006.

See title page for effective date.

**CHAPTER 385
H.P. 878 - L.D. 1200**

**An Act To Bring Gender Parity
to Corporate Boards**

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

Sec. 1. 13-C MRSA §803, sub-§4 is enacted to read:

4. Corporate board gender parity. A publicly held domestic corporation subject to this Act shall comply with the board of directors gender parity requirements of this subsection.

A. No later than June 1, 2023, a domestic publicly held corporation subject to this Act shall have a minimum of one female director on its board of directors. A corporation may increase the number of directors on its board to comply with this subsection.

B. No later than June 1, 2024, a domestic publicly held corporation subject to this Act shall comply with this paragraph.

(1) If the number of directors on its board of directors is 6 or more, the corporation shall have a minimum of 3 female directors.

(2) If the number of directors on its board of directors is 5, the corporation shall have a minimum of 2 female directors.

(3) If the number of directors on its board of directors is 4 or fewer, the corporation shall have a minimum of one female director.

C. The Secretary of State shall publish the following reports on its publicly accessible website.

(1) No later than June 30, 2023, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum of one female director on its board of directors as designated on the corporation's 2023 annual report under section 1621, subsection 1.

(2) No later than June 30, 2024 and annually thereafter, the Secretary of State shall publish a report with the names of the publicly held domestic corporations subject to this Act and whether each corporation has the required minimum number of female directors pursuant to paragraph B as designated on the corporation's last annual report under section 1621, subsection 1.

D. The Secretary of State shall adopt rules to implement this subsection. Rules adopted under this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

E. For purposes of this subsection, the following terms have the following meanings.

(1) "Female" means an individual who self-identifies as a woman, without regard to the individual's designated sex at birth.

(2) "Publicly held domestic corporation" means a corporation with outstanding shares

listed on a major United States stock exchange.

Sec. 2. 13-C MRSA §1621, sub-§1, as amended by PL 2007, c. 323, Pt. C, §40 and affected by Pt. G, §4, is further amended to read:

1. Filing of annual report. Each domestic corporation, unless excused as provided in subsection 4 or excluded by subsection 6, and each foreign corporation authorized to do business in this State, shall deliver to the Secretary of State for filing, within the time prescribed by this section, an annual report setting forth:

- A. The name of the domestic or foreign corporation and the jurisdiction of its incorporation;
- B. The information required by Title 5, section 105, subsection 1;
- C. A brief statement of the character of the business in which the domestic or foreign corporation is actually engaged in this State, if any;
- E. The address of its principal office, wherever located;
- F. The names of its principal officers; ~~and~~
- G. The names of its directors, except that in the case of a corporation that has eliminated its board of directors pursuant to section 743 the annual report must set forth the names of the shareholders instead;
- H. An indication as to whether the domestic corporation is publicly held;
- I. An indication of how many female directors are on the board of directors of the publicly held domestic corporation; and
- J. An indication as to whether the domestic publicly held corporation has the minimum number of female directors on its board of directors required by section 803, subsection 4.

See title page for effective date.

CHAPTER 386

H.P. 1243 - L.D. 1672

An Act To Require That Private Schools That Enroll 60 Percent or More Publicly Funded Students Meet Certain Requirements

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

Sec. 1. 20-A MRSA §2951, sub-§6, as repealed and replaced by PL 2017, c. 342, §2, is amended to read:

6. Student assessment and other requirements. ~~Meets~~ At a minimum, meets or exceeds the following requirements:

- A. It participates in the statewide assessment program to measure and evaluate the academic achievements of students; ~~and~~
- B. It meets the applicable requirements of ~~and has~~ a curriculum aligned with the system of learning results established in section 6209;
- C. It meets health and safety requirements applicable to public schools; and
- D. If public funding supports more than 85% of the school's students, as determined by the previous year's October and April average enrollment, and the municipality where the school is located does not exercise school choice, it enrolls all students from that municipality, including those with disabilities, who must be served in accordance with applicable state and federal law.

~~The~~ Except as provided in paragraph D, the requirements of this subsection apply only to a school that enrolls 60% or more publicly funded students, as determined by the previous year's October and April average enrollment; and

Sec. 2. Application. This Act applies to school years beginning with the 2022-2023 academic year.

See title page for effective date.

CHAPTER 387

H.P. 908 - L.D. 1242

An Act To Amend the Maine Medical Use of Marijuana Act

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Department of Administration and Financial Services' office of marijuana policy is currently proposing rules that may go into effect before the expiration of the 90-day period; and

Whereas, the proposed rules would significantly damage the well-being and health of tens of thousands of citizens of the State by restricting their access to medical marijuana; and

Whereas, the proposed rules would do irreparable economic harm to thousands of citizens of the State through a dramatic increase in the cost of medical marijuana; and

Whereas, the proposed rules would do irreparable economic harm to thousands of medical marijuana caregivers and to their thousands of employees; and