

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

CHAPTER 611
H.P. 1466 - L.D. 1971

**An Act To Implement the
Recommendations of the Right
To Know Advisory Committee
Concerning Remote
Participation**

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

Sec. 1. 1 MRSA §403-B, sub-§2, ¶A, as enacted by PL 2021, c. 290, §1, is amended to read:

A. After notice and hearing the body has adopted a written policy governing the conditions upon which members of the body and the public may participate in a public proceeding of that body by remote methods:

(1) If a public body has not adopted a policy authorizing remote methods of participation under this section and if the chair of the body determines that an emergency or urgent issue exists that prevents the public body from meeting in person to adopt a policy, the chair may call a meeting of the body in which the members may participate by remote methods. Notice of the meeting must include information about how the public can participate in the meeting and the proposed policy or instructions on how to obtain a copy of the proposed policy in advance of the meeting. Once the meeting is convened, the members shall vote on whether to support the chair's determination that an emergency or urgent issue exists that prevents the public body from meeting in person.

(2) If 2/3 of the members vote in support of the chair's determination under subparagraph (1), after an opportunity for hearing, the members may vote on whether to adopt a policy authorizing remote methods of participation in public proceedings of the body under this section.

Sec. 2. 1 MRSA §403-B, sub-§2, ¶H, as enacted by PL 2021, c. 290, §1, is amended to read:

H. The public body must make all documents and other materials considered by the public body available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as additional costs are not incurred by the public body. The public body must make the proposed policy regarding remote participation

available in advance of the meeting if meeting remotely under paragraph A, subparagraphs (1) and (2).

See title page for effective date.

CHAPTER 612
H.P. 1471 - L.D. 1985

**An Act To Improve Testing
Requirements for Adult Use
Marijuana**

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

Sec. 1. 28-B MRSA §601, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

§601. Testing program established

The department shall establish a testing program for adult use marijuana and adult use marijuana products. Except as otherwise provided in this subchapter, the program must require a licensee, prior to selling or distributing adult use marijuana or an adult use marijuana product to a consumer ~~or to another licensee~~, to submit the marijuana or marijuana product to a testing facility for testing to ensure that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required and to ensure correct labeling. The department shall adopt rules establishing a testing program pursuant to this section, rules identifying the types of contaminants that are injurious to health for which marijuana and marijuana products must be tested under this subchapter and rules regarding the maximum level of allowable contamination for each contaminant. Rules adopted pursuant to this subchapter are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 28-B MRSA §602, first ¶, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

A licensee may not sell or distribute adult use marijuana or an adult use marijuana product to a consumer ~~or to another licensee~~ under this chapter unless the marijuana or marijuana product has been tested pursuant to this subchapter and the rules adopted pursuant to this subchapter and that mandatory testing has demonstrated that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required.

Sec. 3. 28-B MRSA §605, first ¶, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

Notwithstanding section 602, a licensee may sell or furnish to a consumer ~~or to another licensee~~ adult use

marijuana or an adult use marijuana product that the licensee has not submitted for testing in accordance with this subchapter and rules adopted pursuant to this subchapter if:

Sec. 4. 28-B MRSA §605, sub-§4, as enacted by PL 2017, c. 409, Pt. A, §6, is amended to read:

4. No subsequent processing, manufacturing or alteration. Since the performance of the prior testing under subsection 1, the marijuana or marijuana product has not undergone any further processing, manufacturing or alteration, ~~other than the packaging and labeling of the marijuana or marijuana product for sale that would result in an increase in the concentration of any contaminants or factors identified in section 602, subsection 1 or in any rules adopted by the department pursuant to that section.~~

See title page for effective date.

CHAPTER 613

S.P. 724 - L.D. 2007

**An Act To Create the
Amyotrophic Lateral Sclerosis
Incidence Registry**

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

Sec. 1. 22 MRSA c. 255-A is enacted to read:

CHAPTER 255-A

AMYOTROPHIC LATERAL SCLEROSIS

§1411. Registry established

The Maine Center for Disease Control and Prevention shall establish, maintain and operate a statewide amyotrophic lateral sclerosis incidence registry, referred to in this chapter as "the registry."

§1412. Duty of health care providers

A physician, surgeon, nurse practitioner, physician assistant or other health care practitioner and a hospital or other health care facility that screens for, diagnoses or provides therapeutic services to patients with amyotrophic lateral sclerosis shall report to the department all persons diagnosed as having amyotrophic lateral sclerosis no later than 6 months from the date of diagnosis. The report must include, but is not limited to, information on each person's usual occupation and industry of employment and other elements determined by rule to be appropriate.

§1413. Confidentiality

Information that directly or indirectly identifies individual persons contained within the registry is confidential and protected by applicable law, including section 42, subsections 2 and 5 and chapters 401 and 857.

Information within the registry may be disclosed in aggregated, de-identified form. Information that directly or indirectly identifies individual persons contained within the registry may be disclosed only in a manner consistent with applicable state and federal confidentiality laws and policies. The department may establish data sharing and protection agreements with state, regional and national amyotrophic lateral sclerosis registries for bidirectional data exchange, in a manner consistent with applicable state and federal confidentiality laws and policies. The department may disclose the minimum information necessary to accomplish a specified research purpose only upon successful completion of the research disclosure approval process established by the department and as permitted under applicable human subject research protections, state and federal laws and the department's confidentiality policies and processes.

§1414. Annual report

The department shall prepare and submit to the Governor annual reports containing statewide prevalence and incidence estimates of amyotrophic lateral sclerosis, including any trends occurring over time across the State. The reports may not contain any information that directly or indirectly identifies individual persons.

§1415. Rules

The department shall adopt rules to implement this chapter, including, but not limited to, rules governing the operation of the registry, reporting to the registry and data release protocols. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 614

H.P. 1384 - L.D. 1874

**An Act To Clarify COVID-19
Paid Leave for School
Employees**

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

Whereas, Public Law 2021, chapter 378 requires school administrative units to grant up to 15 sick leave days used by a public school employee affected by COVID-19; and

Whereas, the provisions of Public Law 2021, chapter 378 apply only to leave taken before the effective date of that law; and