

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

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

Whereas, public school employees continue to experience the personal and economic effects of the COVID-19 pandemic but remain without sufficient paid leave to weather these effects; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA §13605, as enacted by PL 2021, c. 378, §1, is amended to read:

§13605. School administrative units to grant sick paid leave to public school employees affected by COVID-19

A school administrative unit shall grant up to 15 sick paid leave days ~~used by~~ to a public school employee affected by the illness caused by infection with the coronavirus SARS-CoV-2, referred to in this section as "COVID-19," in accordance with the following.

1. Requirements. A public school employee who ~~was is~~ affected by COVID-19 ~~and used sick is granted up to a maximum of 15 days of paid leave prior to the effective date of this section is entitled to have sick leave time restored for those days used by that employee up to a maximum of 15 days if when needed by~~ the employee because the employee:

- A. ~~Was Is~~ subject to a federal, state or local quarantine order related to COVID-19;
- B. ~~Had Has~~ been or ~~was is~~ advised by a health care provider to self-quarantine for reasons related to COVID-19;
- C. ~~Experienced Is experiencing~~ symptoms of COVID-19 and ~~sought is seeking~~ a medical diagnosis;
- D. ~~Cared Is caring~~ for an individual subject to a federal, state or local quarantine order related to COVID-19; or
- E. Is a parent or guardian who ~~provided is provid-~~ing care for a child whose school or place of child care ~~was is~~ closed or unavailable due to precautions related to COVID-19.

2. Application. ~~This section~~ Subsection 1 applies ~~to any sick leave used by an employee~~ from January 1, 2021 until the employee has been granted a maximum of 15 days of sick time paid leave for the purposes described in this section, except as provided in subsection 3.

3. Exception. A public school employee who, on or after the effective date of this subsection, has 60 days or more of accrued paid leave is not eligible for leave pursuant to subsection 1.

4. Funding. A school administrative unit may use federal funds to provide the paid leave required under this section, including but not limited to funds from the federal Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, the American Rescue Plan Elementary and Secondary School Emergency Relief Fund and the American Rescue Plan Act of 2021, Public Law 117-2, to the extent the funds are eligible to be used for the purposes of this section in accordance with federal law and regulations.

Sec. 2. Restoration. A school administrative unit shall restore sick leave time to a public school employee who used sick leave pursuant to the Maine Revised Statutes, Title 20-A, section 13605 between October 19, 2021 and the effective date of this Act. A school administrative unit shall compensate for an absence a public school employee who was absent from work for any reason described in Title 20-A, section 13605 between January 1, 2021 and the effective date of this Act and who was not eligible to be paid for that absence.

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

Effective April 15, 2022.

CHAPTER 615

H.P. 853 - L.D. 1175

An Act To Prohibit Excessive Telephone Charges in Maine Jails and Prisons

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

PART A

Sec. A-1. 34-A MRSA §3015 is enacted to read:

§3015. Telephone services in Department of Corrections facilities

Beginning October 1, 2022, the department and a service provider that contracts with the department to provide telephone services for residents of a department facility shall provide telephone services in accordance with this section.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Department facility" means a detention facility or correctional facility.
- B. "Resident" means a person who resides in a department facility.