

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

**CHAPTER 98
S.P. 249 - L.D. 581**

**An Act to Assist Municipal
Shellfish Conservation
Programs**

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

Sec. 1. 12 MRSA §6072-C, sub-§3-A, as enacted by PL 2017, c. 159, §6, is amended to read:

3-A. Educational courses. Prior to the issuance or renewal of a limited-purpose aquaculture license, the commissioner may require the applicant to complete any educational courses the commissioner determines appropriate, except that an applicant that is exempt from payment of an application fee as provided in subsection 6-A may not be required to complete an educational course. Educational courses may be provided by the department or by any public or private sector association or organization authorized by the commissioner. For any course provided by the department, the commissioner shall set an enrollment fee sufficient to recover all costs incurred by the department in providing the course.

Sec. 2. 12 MRSA §6072-C, sub-§6, as amended by PL 2021, c. 52, §16 and affected by §21, is further amended to read:

6. Fee. The Except as provided in subsection 6-A, the application fee for a resident limited-purpose aquaculture license is \$100 and for a nonresident limited-purpose aquaculture license is \$400. The application fee is nonrefundable. All fees collected under this subsection must be deposited in the Aquaculture Research Fund established in section 6081.

Sec. 3. 12 MRSA §6072-C, sub-§6-A is enacted to read:

6-A. Fee exemptions. The commissioner may not assess an application fee for a limited-purpose aquaculture license that is issued to:

A. A municipal shellfish management committee established pursuant to section 6671, as long as the organisms cultured on the license site are not used for commercial purposes; or

B. A municipal officer for a municipal project, as long as the organisms cultured on the license site are not used for commercial purposes.

See title page for effective date.

**CHAPTER 99
H.P. 408 - L.D. 631**

**An Act to Change the
Notification Law for School
Truancy**

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

Sec. 1. 20-A MRSA §5051-A, sub-§2, ¶C-1 is enacted to read:

C-1. Notwithstanding paragraph C, a superintendent may make 2 documented attempts to serve or cause to be served upon a parent the written notice and may serve or cause to be served or attempt to serve or cause to be served upon a parent the written notice by certified mail instead of registered mail.

This paragraph is repealed September 1, 2025.

Sec. 2. 20-A MRSA §5051-A, sub-§2, ¶D-1 is enacted to read:

D-1. Prior to notifying the local law enforcement department under paragraph E-1, the superintendent shall schedule at least one meeting as required under paragraph B-1 and may invite a local prosecutor.

This paragraph is repealed September 1, 2025.

Sec. 3. 20-A MRSA §5051-A, sub-§2, ¶E-1 is enacted to read:

E-1. If, after 3 school days after the 2nd attempted service of the notice referred to in paragraph C-1, the student remains truant and the parent and student refuse to attend the meeting scheduled according to paragraph D-1, the superintendent shall report the facts of the unlawful absence to the local law enforcement department, which may proceed with an action to enforce section 5053-A against the parent unless the student is at once placed in an appropriate school or otherwise meets the requirements under section 5001-A.

This paragraph is repealed September 1, 2025.

See title page for effective date.

**CHAPTER 100
H.P. 533 - L.D. 844**

**An Act to Protect the Practice
of Certain Cardiovascular
Professionals**

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

Sec. 1. 32 MRSA §9854, sub-§3, as amended by PL 2015, c. 429, §§19 and 20, is further amended to read:

3. Exceptions. The requirement of a license shall does not apply to:

A. A dentist, dental hygienist or dental radiographer licensed under chapter 143;

C. A resident physician or a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry or radiologic technology or an individual who is concurrently obtaining the education and clinical training required by the board by rule who applies ionizing radiation to a human being while under the supervision of a licensed practitioner; or

D. Any person serving in the United States Armed Services or public health service or employed by the Veterans' Administration United States Department of Veterans Affairs or other federal agency performing his the person's official duties, provided that as long as the duties are limited to that service or employment; or

E. A cardiovascular technologist credentialed by the Commission on Accreditation of Allied Health Education Programs, Cardiovascular Credentialing International or a successor organization who is performing the activities permitted under this paragraph and is acting under the delegated authority and direct supervision of a physician while the physician is performing cardiac catheterization or electrophysiology procedures. For the purposes of this paragraph, the activities permitted are limited to procedure table actions that are necessary during cardiac catheterization or electrophysiology procedures, including enabling fluoroscopy to start the procedure, changing the field of view, positioning the image intensifier, adjusting collimation, placing the wedge filter, panning the procedure table during exposure, stepping on the pedal at the physician's direction when the physician cannot reach the pedal and performing other similar actions under the delegated authority and direct supervision of the physician.

See title page for effective date.

CHAPTER 101
S.P. 392 - L.D. 921

An Act to Allow the Local Foods Fund for Public Schools to Be Used for Processed and Value-added Maine Food Products

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

Sec. 1. 20-A MRSA §6602, sub-§12, as amended by PL 2021, c. 426, §1, is further amended to read:

12. Local Foods Fund. The Local Foods Fund is established within the department. The fund is authorized to receive revenue from public and private sources. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of the fiscal year must be carried forward to the next fiscal year. The fund must be used to match \$1 for every \$3 a school administrative unit pays for produce, value-added dairy, protein or minimally processed foods purchased directly from a farmer, farmers' cooperative, local food hub, local food processor or food service distributor in the State, to a maximum state contribution of \$5,000 per school administrative unit in fiscal year 2021-22 and subsequent years or \$5,500 per school administrative unit if funding is received and the school administrative unit sends a food service employee to local foods training administered by the department under subsection 13. All foods purchased using the fund must be grown or produced in the State, with the exception of processed and value-added food products produced in the State, which must meet standards set by the department. The department shall create standards for allowable processed and value-added food products produced in the State and provide guidance to school administrative units regarding which of those products are allowable for reimbursement under this subsection and subsection 12-A. At the end of the fiscal year, the school administrative unit may provide the department with receipts documenting purchases pursuant to this subsection during that year. For purposes of this subsection, "minimally processed" means only the washing, cleaning, trimming, peeling, slicing, drying, sorting, refrigerating, freezing and packaging of food items or a combination of those activities. Reimbursement or partial reimbursement to school administrative units may only be made up to the amount available in the fund. Failure to reimburse does not constitute an obligation on behalf of the State to a school administrative unit. The department shall apply for federal grant funding to provide state contributions in excess of \$5,000 per school administrative unit in fiscal year 2021-22 and subsequent years pursuant to this subsection if applicable grant funding is available. The department may accept grant