

# 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.**

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**Augusta, Maine**  
**2023**

standing committee of the Legislature having jurisdiction over criminal justice and public safety matters within one month of receiving the annual reports.

**Sec. 4. 34-A MRSA §3001-A, sub-§2, ¶D,** as enacted by PL 2005, c. 683, Pt. B, §26, is amended to read:

~~Boards~~ Each board of visitors shall meet regularly and tour the correctional facility to which it is assigned at least 4 times a year. At each meeting, a board of visitors may request and must receive information from the chief administrative officer ~~as that the board determines will assist in the review of the management of the facility. To the extent that a board of visitors is not discussing matters made confidential by federal or state law, meetings of boards are a meeting of the board is a public proceeding proceeding~~ and must be conducted in accordance with Title 1, section 403. Boards of visitors may meet jointly.

**Sec. 5. 34-A MRSA §3001-A, sub-§5** is enacted to read:

**5. Orientation and training.** A board of visitors must receive annual training, including:

A. Facilities orientation, including a tour of the correctional facility to which the board of visitors is assigned, explanation of the facility command structure and receipt of standards of the American Correctional Association or successor organization, facility client handbooks, volunteer policies and board of visitors policies;

B. Review of the federal Americans with Disabilities Act of 1990 and guidance concerning domestic violence, substance use disorder including opioids, behavioral health and adverse childhood trauma;

C. A list and explanation of available community resources;

D. The legal requirements of this section; and

E. Training on any other subject as determined by the commissioner or chair of the board of visitors.

See title page for effective date.

**CHAPTER 384**

**H.P. 1160 - L.D. 1814**

**An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs**

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

**Sec. 1. 38 MRSA §1672, sub-§1, ¶A-2** is enacted to read:

A-2. "Compact fluorescent mercury-added lamp" means a compact, low-pressure, mercury-containing, electric-discharge light source, whether integrally ballasted or nonintegrally ballasted and regardless of the tube diameter or length and the shape or size of the lamp, in which a fluorescent coating transforms a portion of the ultraviolet energy generated by the mercury discharge into visible light and that:

(1) Has a single base or end cap of any type, including, but not limited to, a screw base type, a bayonet base type or a 2-pin or 4-pin base type; and

(2) Provides a light emission between a correlated color temperature of 1,700K and 24,000K and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE) Uniform Color Space (CAM02-UCS).

**Sec. 2. 38 MRSA §1672, sub-§1, ¶A-3** is enacted to read:

A-3. "Linear fluorescent mercury-added lamp" means a low-pressure, mercury-containing, electric-discharge light source, regardless of the tube diameter and the shape of the lamp, in which a fluorescent coating transforms a portion of the ultraviolet energy generated by the mercury discharge into visible light and that:

(1) Has 2 bases or end caps of any type, including, but not limited to, a one-pin or 2-pin base type and a recessed double contact base type;

(2) Provides a light emission between a correlated color temperature of 1,700K and 24,000K and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE) Uniform Color Space (CAM02-UCS); and

(3) Has a tube length of 0.5 feet to 8 feet.

**Sec. 3. 38 MRSA §1672, sub-§1, ¶B,** as enacted by PL 2009, c. 272, §1, is amended to read:

B. "Mercury-added lamp" means an electric lamp to which mercury is intentionally added during the manufacturing process, including, but not limited to, a linear fluorescent mercury-added lamp, a compact fluorescent, mercury-added lamp and a black light, high-intensity discharge, ultraviolet and or neon lamps mercury-added lamp.

**Sec. 4. 38 MRSA §1672, sub-§4-A** is enacted to read:

4-A. Sales prohibition and exceptions. Beginning January 1, 2026, a person may not offer for sale,

sell or distribute as a new manufactured product a compact fluorescent mercury-added lamp or a linear fluorescent mercury-added lamp. The prohibition in this subsection does not apply to the following:

A. A mercury-added lamp that is designed and marketed exclusively for image capture and projection, including:

- (1) Photocopying;
- (2) Printing, directly or in preprocessing;
- (3) Lithography;
- (4) Film or video projection; or
- (5) Holography;

B. A mercury-added lamp that has a high proportion of ultraviolet light emission and that:

- (1) Has ultraviolet power greater than 2 milliwatts per kilolumen;
- (2) Is designed for germicidal use, including the destruction of deoxyribonucleic acid, or DNA, that emits a peak radiation of approximately 253.7 nanometers;
- (3) Is designed and marketed exclusively for disinfection or fly trapping and from which:
  - (a) The radiation power emitted between 250 and 315 nanometers represents at least 5% of the total radiation power emitted between 250 and 800 nanometers; or
  - (b) The radiation power emitted between 315 and 400 nanometers represents at least 20% of the total radiation power emitted between 250 and 800 nanometers;
- (4) Is designed and marketed exclusively for the generation of ozone and that has the primary purpose of emitting radiation at approximately 185.1 nanometers;
- (5) Is designed and marketed exclusively for coral zooxanthellae symbiosis and from which the radiation power emitted between 400 and 480 nanometers represents at least 40% of the total radiation power emitted between 250 and 800 nanometers; or
- (6) Is designed and marketed exclusively for use in a sunlamp product, as defined in 21 Code of Federal Regulations, Section 1040.20(b)(9) as in effect on January 1, 2024;

C. A mercury-added lamp designed and marketed exclusively for use in medical or veterinary diagnosis or treatment or in a medical device;

D. A mercury-added lamp designed and marketed exclusively for use in the manufacturing or quality control of pharmaceutical products;

E. A mercury-added lamp designed and marketed exclusively for spectroscopy and photometric applications, including, but not limited to, ultraviolet-visible spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive infrared spectroscopy, Fourier transform infrared spectroscopy, medical analysis, ellipsometry, layer thickness measurement, process monitoring or environmental monitoring;

F. A mercury-added lamp designed and marketed exclusively for use by academic and research institutions for conducting research projects and experiments; or

G. A compact fluorescent mercury-added lamp that is used to replace a lamp in a motor vehicle that was manufactured on or before January 1, 2020.

The department may investigate complaints received regarding potential violations of this subsection and, as a result of those investigations, may enforce this subsection in accordance with sections 347-A and 349, but the department is not required to conduct compliance inspections of locations where mercury-added lamps or other light sources are sold or distributed, conduct outreach or education activities related to the prohibition in this subsection or engage in any other regulatory or enforcement activities related to the prohibition in this subsection.

See title page for effective date.

**CHAPTER 385**

**H.P. 643 - L.D. 1007**

**An Act to Ban the Video  
Hosting Service TikTok on All  
State-owned Devices**

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

**Whereas,** employees of the State are issued computers, cellular telephones and other necessary electronic devices to carry out their duties in their employment by the State; and

**Whereas,** certain software applications and programs such as TikTok represent a potential security risk as they may contain hidden and unknown capabilities to install spyware or otherwise compromise the integrity and security of official state communications and business that may be contained on state computers and devices; and

**Whereas,** employees of the State may have currently installed or used TikTok or other concerning software applications and programs in the absence of a policy or official restrictions against doing so; and