

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

3. Collective bargaining dispute. If a public school employee was subjected to the dangerous behavior and that employee is covered by a collective bargaining agreement, a dispute arising out of the incident of dangerous behavior is subject to the dispute resolution process of the collective bargaining agreement.

See title page for effective date.

CHAPTER 494

S.P. 866 - L.D. 2038

**An Act to Amend the Law
Regarding the Land for
Maine's Future Board to Allow
for Proxy Designees**

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

Sec. 1. 5 MRSA §6204, sub-§1, as affected by PL 2011, c. 655, Pt. II, §11 and amended by c. 657, Pt. X, §3, is further amended to read:

1. Composition. The board consists of 9 members, 6 who are private citizens and 3 who are permanent members. The permanent members are the Commissioner of Inland Fisheries and Wildlife; the Commissioner of Marine Resources; and the Commissioner of Agriculture, Conservation and Forestry. A permanent member may appoint a designee to represent that member at board meetings.

See title page for effective date.

CHAPTER 495

H.P. 1325 - L.D. 2063

**An Act to Clarify the Laws
Governing Disclosure of Wood
Processing Data**

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

Sec. 1. 12 MRSA §8884, sub-§3-A is enacted to read:

3-A. Disclosure of confidential information. Notwithstanding subsection 3, confidential information may be disclosed pursuant to this subsection.

A. The director of the bureau may disclose information designated as confidential under subsection 3 to the United States Department of Agriculture, Forest Service, Northern Research Station when that entity, in the opinion of the director, requires that information and the bureau and that entity have executed a confidentiality agreement that protects against further disclosure of that information except in summary reports that use aggregate data

that do not reveal the activities of an individual person or firm.

B. The director of the bureau may not disclose information furnished by a state or federal agency when that information has been designated as confidential by the furnishing agency unless the furnishing agency authorizes the disclosure.

A recipient of information pursuant to paragraph A or B may not disclose or use the information except as authorized by the director of the bureau, and the information remains confidential and the property of the bureau.

Sec. 2. 12 MRSA §8884, sub-§4, as enacted by PL 2003, c. 452, Pt. F, §45 and affected by Pt. X, §2, is repealed and the following enacted in its place:

4. Penalties. A person who:

A. Fails to submit a report pursuant to this section commits a civil violation for which a fine of not more than \$1,000 for each failure may be adjudged; or

B. Receives confidential information pursuant to subsection 3-A and uses that information for a purpose other than that authorized by the director of the bureau commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

See title page for effective date.

CHAPTER 496

H.P. 1306 - L.D. 2044

**An Act to Update Air Quality
Health Warnings**

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

Sec. 1. 38 MRSA §584-F, as amended by PL 1999, c. 79, §2, is further amended to read:

§584-F. ~~Ozone~~ Air quality health warnings

1. Dissemination of warnings to media and public. ~~Whenever monitored data demonstrates or the department predicts that ground-level ozone ambient air concentrations have exceeded or of a pollutant will exceed .08 parts per million averaged over an 8-hour period reach the United States Environmental Protection Agency's Air Quality Index category of Unhealthy for Sensitive Groups or a higher category, the department shall disseminate a health warning to the mass media, including but not limited to television, radio and print media, and shall urge the media to issue the warning to the general public. The department shall use best efforts to educate the media as to the need to broadly disseminate health warnings to the public. In disseminating a warning under this subsection, the department shall also~~

use the most appropriate technology available to disseminate health warnings directly to the public.

2. Telephone hot-line Daily ground-level ozone concentration information. The department shall provide information to the public on daily ground-level ozone concentrations by a toll-free ozone information telephone hot-line hotline or through other appropriate technology.

See title page for effective date.

CHAPTER 497

H.P. 1321 - L.D. 2059

An Act Regarding Processing of Applications Under the Natural Resources Protection Act to Ensure Consistency with Shoreland Zoning Laws

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

Sec. 1. 38 MRSA §480-E, sub-§16 is enacted to read:

16. Consistency with mandatory shoreland zoning laws. The commissioner may return an application for a permit under this article as incomplete for processing pursuant to section 344, subsection 1 if the commissioner finds that there is a reasonable likelihood that the proposed activity would be inconsistent with the minimum guidelines for municipal zoning and land use controls adopted by the board pursuant to section 438-A, subsection 1. If an application is returned pursuant to this subsection, the commissioner may require that a resubmitted application be accompanied by a municipal approval demonstrating that the proposed activity is in compliance with the board's adopted minimum guidelines.

See title page for effective date.

CHAPTER 498

H.P. 1312 - L.D. 2050

An Act to Expand Accreditation Options for Laboratories That Conduct Blood-alcohol or Drug Testing

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

Sec. 1. 29-A MRSA §2524, sub-§2, as amended by PL 2019, c. 368, §3, is further amended to read:

2. Laboratories qualified to analyze blood for blood tests. A laboratory conducting an analysis of

blood-alcohol level or the presence of a drug or drug metabolite must either be certified by the Department of Health and Human Services or be licensed to do so under the laws of this State or any other state and also certified by the United States Department of Health and Human Services under the federal Clinical Laboratory Improvement Amendments of 1988, 42 United States Code, Section 263a (2018); or be accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body.

See title page for effective date.

CHAPTER 499

H.P. 1021 - L.D. 1576

An Act to Update the Laws Governing Electronic Device Information as Evidence

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

Sec. 1. 16 MRSA c. 3, sub-c. 10, headnote is amended to read:

SUBCHAPTER 10

PORTABLE ELECTRONIC DEVICE CONTENT INFORMATION

Sec. 2. 16 MRSA §641, sub-§3-A is enacted to read:

3-A. Electronic device. "Electronic device" means an electronic device that enables access to, or use of, an electronic communication service or remote computing service.

Sec. 3. 16 MRSA §641, sub-§5, as enacted by PL 2013, c. 402, §1, is amended to read:

5. Owner. "Owner" means the person or entity having the legal title, claim or right to a portable an electronic device.

Sec. 4. 16 MRSA §641, sub-§6, as amended by PL 2019, c. 489, §5, is repealed.

Sec. 5. 16 MRSA §641, sub-§7, as enacted by PL 2013, c. 402, §1, is repealed and the following enacted in its place:

7. Remote computing service. "Remote computing service" means:

A. The provision to the public over the Internet of on-demand computer storage; or

B. Processing services provided by means of an electronic communication service.

Sec. 6. 16 MRSA §641, sub-§8, as enacted by PL 2013, c. 402, §1, is amended to read: