

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

**CHAPTER 83
S.P. 40 - L.D. 118**

**An Act To Further Facilitate
the Provision of Educational
Loans for Maine Students and
Families**

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

Whereas, there has been unprecedented turbulence in the capital markets that has made it necessary to replace existing auction rate bond financing for federally guaranteed student loans with financing supported by a capital reserve fund; and

Whereas, if financing supported by a capital reserve fund cannot be made available, the availability, rates and terms of federally guaranteed student loans to Maine borrowers may be adversely affected, resulting in increased costs to students and families or even unavailability of federally guaranteed student loans; 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 §11407, sub-§1, as amended by PL 2003, c. 112, §4, is further amended to read:

1. Origination of loans. Any entity acquiring student loan notes may not originate federally guaranteed loans, except as authorized in chapter 417-F. The entity may not discriminate against any financial institution or credit union authorized to do business in this State or any other entity with respect to the acquisition of loans. The entity shall adopt policies regarding conflict of interest.

Sec. 2. 20-A MRSA §11496-A, sub-§1, as enacted by PL 2007, c. 665, §1, is amended to read:

1. Capital reserve fund. The authority may create and establish one or more capital reserve funds and may pay into any capital reserve fund any money appropriated and made available by the State for the purposes of any such fund, any proceeds of the sale by the authority of bonds to the extent determined by the authority and any other money available to the authority. The authority may not create or establish any capital reserve fund under this subsection after June 30, ~~2009~~ 2010.

Sec. 3. 20-A MRSA §11496-A, sub-§3, ¶A, as enacted by PL 2007, c. 665, §1, is amended to read:

A. The amount stated in the applicable trust agreement or other document used to establish the capital reserve fund, with respect to any capital reserve fund established before June 30, ~~2009~~ 2010; or

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

Effective May 6, 2009.

CHAPTER 84

H.P. 280 - L.D. 373

**An Act To Facilitate Lactation
at the Workplace by New
Mothers**

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

Sec. 1. 26 MRSA §604 is enacted to read:

§604. Nursing mothers in the workplace

An employer, as defined in section 603, subsection 1, paragraph A, shall provide adequate unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for her nursing child for up to 3 years following childbirth. The employer shall make reasonable efforts to provide a clean room or other location, other than a bathroom, where an employee may express breast milk in privacy. An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace.

See title page for effective date.

CHAPTER 85

H.P. 384 - L.D. 539

**An Act To Amend the Laws
Governing the Allowable Uses
of Tax Increment Financing
Funds**

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

Sec. 1. 30-A MRSA §5225, sub-§1, ¶C, as amended by PL 2007, c. 413, §6, is further amended to read:

C. Costs related to economic development, environmental improvements or employment training