

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

**Sec. 2. 22 MRSA §8824, sub-§1**, as enacted by PL 1999, c. 647, §2, is amended to read:

**1. Mandatory reporting.** Once the tracking system is operating, all hospitals licensed in the State and other providers of services that have established hearing screening or diagnostic procedures for newborn ~~children and~~ infants and children up to 3 years of age shall report to the department all data on hearing screening, evaluation and diagnoses of newborns and newborn infants and children up to 3 years of age. Reports that are required under this subsection must be submitted at least monthly.

See title page for effective date.

**CHAPTER 237  
S.P. 370 - L.D. 1118**

**An Act To Provide Certain Requirements for Rules Related to Rate Setting for Mental Retardation Services**

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

**Whereas**, the change to standardized rates for providers of care to persons with mental retardation under the waiver will have a significant impact on the system; and

**Whereas**, rulemaking for provider rate setting is an important process and the Legislature should be involved in this process; and

**Whereas**, rulemaking for provider rate setting is currently in progress and could be complete before this legislation goes into effect; 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. 34-B MRSA §5432, sub-§3**, as amended by PL 1993, c. 410, Pt. CCC, §35, is further amended to read:

**3. Rules.** Adopt rules, according to the Maine Administrative Procedure Act, Title 5, chapter 375, relating to the administration of the services authorized by this article and adopt major substantive rules, according to Title 5, chapter 375, subchapter 2-A, relating to rate setting pursuant to Public Law 2005,

chapter 12, Part BBBB and Public Law 2005, chapter 519, Part CCC.

**Sec. 2. Rules.** The Department of Health and Human Services is authorized to adopt major substantive rules on an emergency basis during calendar year 2007 with regard to rate setting for providers of services to persons with mental retardation.

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

Effective June 6, 2007.

**CHAPTER 238  
H.P. 433 - L.D. 555**

**An Act To Protect Children from Lead Exposure by Requiring Sufficient Notice of Renovations**

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

**Sec. 1. 14 MRSA §6030-B, sub-§3** is enacted to read:

**3. Notification of repairs.** A landlord or other lessor of residential property who undertakes, or who engages someone else to undertake, any repair, renovation or remodeling activity in a residential building built before 1978 that includes one or more units that are rented for human habitation shall give notice of the activity and the risk of an environmental lead hazard pursuant to this subsection.

A. Notice must be given at least 30 days before the activity is commenced by:

- (1) Posting a sign on the building's exterior entry doors; and
- (2) A notice sent by certified mail to every unit in the building.

B. Notwithstanding paragraph A, notice may be given less than 30 days before the activity is commenced by:

- (1) Posting a sign on the building's exterior entry doors; and
- (2) Obtaining from one adult tenant of each unit in the building a written waiver of the 30-day notice requirement and a written acknowledgment of receipt of notice for the particular activity.

C. The waiver of the 30-day notice requirement pursuant to paragraph B must be in plain language, immediately precede the signature of the adult tenant, be printed in no less than 12-point