

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 6, 2010 to April 12, 2010**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 12, 2010**

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

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**Augusta, Maine**  
**2010**

~~control level risk based capital and 2.5 and has a negative trend, if its total adjusted capital is less than the product of its authorized control level risk-based capital and:~~

~~(a) If the insurer is a life or health insurer, 2.5; or~~

~~(b) If the insurer is a health organization as described in section 6451-A, subsection 2, 3.0;~~

See title page for effective date.

## CHAPTER 512

### H.P. 1203 - L.D. 1702

#### An Act To Amend the Laws Governing Advanced Practice Registered Nurses

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

**Sec. 1.** 32 MRSA §2205-B, sub-§3, as enacted by PL 1995, c. 379, §8 and affected by §11, is repealed.

See title page for effective date.

## CHAPTER 513

### S.P. 595 - L.D. 1558

#### An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters

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

**Sec. 1.** 5 MRSA §18601, as enacted by PL 1985, c. 801, §§5 and 7, is repealed and the following enacted in its place:

#### **§18601. Definitions**

As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

**1. Professional firefighter.** "Professional firefighter" means an employee of a municipal fire department who is a member of the Participating Local District Retirement Program or who is a participating member under chapter 425 and who aids in the extinguishment of fires, whether or not the employee has other administrative duties.

**2. Qualifying member.** "Qualifying member" means:

A. A member who dies as a result of an injury arising out of and in the course of employment as an employee;

B. After October 31, 2004, an active member who is a professional firefighter who dies as a result of an injury or disease as described in Title 39-A, section 328 if the injury or disease that causes the death is the result of a condition that develops within 30 days of the active member's participating in firefighting or training or a drill that involves firefighting. If the professional firefighter dies after 30 days but within 6 months of participating in firefighting or training or a drill that involves firefighting, there is a rebuttable presumption that the death is the result of an injury arising out of and in the course of employment as a professional firefighter; or

C. A former member receiving a disability retirement benefit who dies as a result of an injury arising out of and in the course of employment as an employee.

**Sec. 2. Rules.** The Board of Trustees of the Maine Public Employees Retirement System shall adopt rules to implement this Act. These rules must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at least 30 days prior to final adoption. Rules adopted pursuant to this section are routine technical as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 3. Retroactivity.** This Act applies retroactively to November 1, 2004.

See title page for effective date.

## CHAPTER 514

### H.P. 1144 - L.D. 1616

#### An Act To Enhance Newborn Blood Spot Screening To Conform to Federal Newborn Screening Standards

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

**Sec. 1.** 22 MRSA §42, sub-§5, as amended by PL 2007, c. 508, §1, is further amended to read:

**5. Confidentiality of records containing certain medical information.** Department records that contain personally identifying medical information that are created or obtained in connection with the department's public health activities or programs are confidential. These records include, but are not limited to, information on genetic, communicable, occupational or environmental disease entities, and information