

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

**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**  
**2011**

**Efficiency Maine Trust Z100**

Initiative: Allocates funds to the Efficiency Maine Trust to provide rebates for cost-effective renewable energy technologies utilized by government and non-profit entities subjected to a competitive bid process.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	\$0	\$360,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$360,000

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

Effective June 13, 2011.

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**CHAPTER 315  
S.P. 126 - L.D. 422**

**An Act To Amend the Laws  
Governing the Tax Assessment  
for Correctional Services in  
Lincoln County and Sagadahoc  
County**

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

**Whereas,** in order for Lincoln County to change its tax assessment for correctional services effective July 1, 2011 and for Lincoln County to pay withheld money to Two Bridges Regional Jail by July 1, 2011, this legislation must take effect before the end of the 90-day period; 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. 30-A MRSA §701, sub-§2-A, ¶H,** as enacted by PL 2007, c. 653, Pt. A, §8, is amended to read:

H. A sum of ~~\$3,018,364~~ \$2,657,105 in Lincoln County;

**Sec. 2. 30-A MRSA §701, sub-§2-A, ¶L,** as enacted by PL 2007, c. 653, Pt. A, §8, is amended to read:

L. A sum of ~~\$2,295,849~~ \$2,657,105 in Sagadahoc County;

**Sec. 3. Lincoln County payment to Two Bridges Regional Jail.** Lincoln County shall pay all withheld revenue from its tax assessment for correctional services from July 1, 2009 to June 30, 2011 directly to the Two Bridges Regional Jail by July 1, 2011 for the jail's correctional services operations in fiscal year 2012-13.

**Sec. 4. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 30-A, section 701, subsection 2-A, paragraph H takes effect July 1, 2011. That section of this Act that amends Title 30-A, section 701, subsection 2-A, paragraph L takes effect January 1, 2012.

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

Effective June 13, 2011, unless otherwise indicated.

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**CHAPTER 316  
H.P. 903 - L.D. 1212**

**An Act To Improve Hospital  
Reporting of MRSA and  
Clostridium difficile Data**

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

**Sec. 1. 22 MRSA §8761,** as enacted by PL 2009, c. 346, §1, is repealed and the following enacted in its place:

**§8761. Methicillin-resistant Staphylococcus aureus and Clostridium difficile**

All hospitals licensed under chapter 405 shall:

**1. Enrollment.** No later than October 1, 2011, enroll and shall maintain enrollment after that date in the National Healthcare Safety Network within the United States Department of Health and Human Services, Centers for Disease Control and Prevention, Division of Healthcare Quality Promotion, referred to in this section as "the network";

**2. Submission of MRSA data.** No later than October 1, 2011, submit to the network infection data for nosocomial methicillin-resistant Staphylococcus aureus, referred to in this section as "MRSA," for all inpatients on a monthly basis in accordance with the protocols defined by the United States Department of Health and Human Services, Centers for Disease Control and Prevention;

**3. Access to MRSA data.** No later than November 1, 2011, authorize, for public health surveillance

purposes only, the Maine Center for Disease Control and Prevention's access to the facility-specific infection rates for nosocomial MRSA contained in the network database;

**4. Authorization to Maine Health Data Organization regarding MRSA data.** Upon completion of data validation by the Maine Center for Disease Control and Prevention in partnership with a statewide collaborative for infection prevention, authorize, for public reporting purposes only, the Maine Health Data Organization's access to the facility-specific infection rates for nosocomial MRSA contained in the network database;

**5. Submission of C. diff data.** Beginning January 1, 2012, submit to the network infection data for nosocomial Clostridium difficile, referred to in this section as "C. diff," for all inpatients on a monthly basis in accordance with the protocols defined by the United States Department of Health and Human Services, Centers for Disease Control and Prevention;

**6. Access to C. diff data.** No later than July 1, 2012, authorize, for public health surveillance purposes only, the Maine Center for Disease Control and Prevention's access to the facility-specific infection rates for nosocomial C. diff contained in the network database; and

**7. Authorization to Maine Health Data Organization regarding C. diff data.** Upon completion of data validation by the Maine Center for Disease Control and Prevention in partnership with a statewide collaborative for infection prevention, authorize, for public reporting purposes only, the Maine Health Data Organization's access to the facility-specific infection rates for nosocomial C. diff contained in the network database.

The Maine Health Data Organization shall adopt rules regarding public reporting of data reported to the United States Department of Health and Human Services, Centers for Disease Control and Prevention regarding MRSA and C. diff in accordance with this section. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Rulemaking.** The Department of Health and Human Services shall undertake the rulemaking required by the Maine Revised Statutes, Title 22, section 8761 and must provisionally adopt and submit to the Legislature the rules on public reporting of data reported to the United States Department of Health and Human Services, Centers for Disease Control and Prevention regarding methicillin-resistant Staphylococcus aureus and Clostridium difficile no later than January 15, 2012.

**Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 22, chapter 1684-A, in the chapter

headnote, the words "screening for methicillin-resistant staphylococcus aureus" are amended to read "screening for methicillin-resistant staphylococcus aureus and clostridium difficile" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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**CHAPTER 317**

**S.P. 371 - L.D. 1250**

**An Act To Improve Oil Storage Facility Operator Training**

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

**Sec. 1. 38 MRSA §564, sub-§2-A, ¶L,** as enacted by PL 2009, c. 319, §7, is amended to read:

L. Operators to complete a department training program that meets the minimum requirements specified by the United States Environmental Protection Agency under 42 United States Code, Section 6991i (2007). The training program must provide certification for the successful completion of the program, which must be renewed every 2 years. Training may be provided by a 3rd party if approved by the department.

See title page for effective date.

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**CHAPTER 318**

**S.P. 386 - L.D. 1265**

**An Act To Allow the Unclaimed Remains of a Veteran To Have Proper Burial**

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

**Sec. 1. 22 MRSA §2900** is enacted to read:

**§2900. Cremated remains of a veteran**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "National cemetery" means a cemetery under the control of the United States Department of Veterans Affairs, National Cemetery Administration.

B. "Veteran" means a person who served in and was honorably discharged from active duty:

(1) In the Armed Forces of the United States;