

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

CHAPTER 4
S.P. 33 - L.D. 85

**An Act To Prohibit Synthetic
Plastic Microbeads in Personal
Care Products and
Over-the-counter Drugs**

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

Sec. 1. 38 MRSA §419-D is enacted to read:

§419-D. Synthetic plastic microbeads

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

A. "Over-the-counter drug" means a drug that is a personal care product that contains a label that identifies the product as a drug as required by 21 Code of Federal Regulations, Section 201.66 (2014). Such a label includes but is not limited to a drug facts panel or a statement of the active ingredients with a list of those ingredients contained in the base compound, substance or preparation.

B. "Personal care product" means any article intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to any part of the human body for cleansing, beautifying, promoting attractiveness or altering the appearance, and any item intended for use as a component of any such article. "Personal care product" does not include a prescription drug.

C. "Plastic" means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during their life cycle and after disposal.

D. "Synthetic plastic microbead" means any intentionally added nonbiodegradable solid plastic particle measuring less than 5 millimeters in size and used to exfoliate or cleanse in a product intended to be rinsed off.

2. Prohibitions. A person may not:

A. After December 31, 2017, manufacture for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

B. After December 31, 2018, accept for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

C. After December 31, 2018, manufacture for sale an over-the-counter drug that contains synthetic plastic microbeads; and

D. After December 31, 2019, accept for sale an over-the-counter drug that contains synthetic plastic microbeads.

See title page for effective date.

CHAPTER 5
H.P. 155 - L.D. 223

**An Act To Eliminate Outdated
Provisions of the Laws
Governing the Maine Turnpike
Authority**

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

Sec. 1. 5 MRSA §1741, first ¶, as amended by PL 2005, c. 313, §1, is further amended to read:

Whenever the words "public improvement" or "public improvements" appear in chapters 141 to 155, those words mean and include the construction, major alteration or repair of buildings or public works now owned or leased or constructed, acquired or leased by the State or any department, officer, board, commission or agency of the State, or constructed, acquired or leased, in whole or in part with state funds, and including the construction, major alteration or repair of school buildings, in excess of \$25,000, by any school administrative unit and for which state school construction aid is to be paid, except that sections 1743 and 1745 are not applicable to construction, major alteration or repair of school buildings. This subchapter does not apply to contracts for transportation-related services and contracts for construction and maintenance that, by law, are under the supervision of the Department of Transportation or the Maine Turnpike Authority.

Sec. 2. 23 MRSA §1961, sub-§3, as enacted by PL 1987, c. 793, Pt. A, §6, is repealed.

Sec. 3. 23 MRSA §1965, sub-§1, ¶D, as amended by PL 2007, c. 270, §1, is further amended to read:

D. Construct, maintain, reconstruct and operate a toll turnpike from a point at or near Kittery in York County to a point at or near Augusta in Kennebec County, except that the traveled way may not be widened or expanded beyond 3 lanes for each direction of travel from the southern terminus of the turnpike to mile marker 53 and beyond 2 lanes for each direction of travel elsewhere on the turnpike without the express approval of the Legislature.

~~Except as provided in section 1965-A, a A~~ license, permit or approval necessary for the widening or expansion of the turnpike may not be issued

by any state agency unless that agency makes an affirmative finding that the widening or expansion is consistent with state transportation policy, as established in section 73, as well as rules implementing that policy;

Sec. 4. 23 MRSA §1965, sub-§1, ¶P, as enacted by PL 1981, c. 595, §3, is amended to read:

P. Provide from revenues to or for the use of the department funds for the maintenance, construction or reconstruction of interchanges ~~determined pursuant to section 1974, subsection 3~~, for which the authority has not otherwise provided;

Sec. 5. 23 MRSA §1965-A, as amended by PL 1997, c. 493, Pt. A, §2 and affected by §3, is repealed.

Sec. 6. 23 MRSA §1966, sub-§4, as enacted by PL 1987, c. 457, §4, is repealed.

Sec. 7. 23 MRSA §1969, sub-§1, ¶C, as amended by PL 1993, c. 410, Pt. MM, §8, is further amended to read:

C. To the payment of the costs of constructing or reconstructing interchanges that are determined by the Department of Transportation and the authority to have a sufficient relationship to the public's use of the turnpike and the orderly regulation and flow of traffic on the turnpike ~~in accordance with the requirements of section 1974, subsection 3~~;

Sec. 8. 23 MRSA §1974, sub-§3, as amended by PL 1991, c. 9, Pt. E, §16, is repealed.

See title page for effective date.

CHAPTER 6

H.P. 56 - L.D. 62

An Act To Require Notice to Municipalities of Certain Licensing and Registration Actions Taken by the Emergency Medical Services' Board

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

Sec. 1. 32 MRSA §83, sub-§17-B is enacted to read:

17-B. Municipal officers. "Municipal officers" means:

A. The selectmen or councillors of a town; or

B. The mayor and aldermen or councillors of a city.

Sec. 2. 32 MRSA §88, sub-§5 is enacted to read:

5. Notice of action. In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes action under subsection 3 or 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

Sec. 3. 32 MRSA §90-A, sub-§6 is enacted to read:

6. Notice of action. In any proceeding under this section with regard to an ambulance service owned and operated by a municipality or a private ambulance service with which a municipality contracts for services, if the board takes further licensing action under subsection 4, the board shall notify in writing the town manager or city manager and the municipal officers of the municipality that owns and operates or contracts with the ambulance service within 5 business days of taking the action.

See title page for effective date.

CHAPTER 7

H.P. 167 - L.D. 235

An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

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 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; 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 preserva-