

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

Whereas, the Legislature has the authority to direct the Department of Education to amend its rule to reflect legislative policy determinations; and

Whereas, the Department of Education and school boards need statutory and rule revisions for the acceptable methods established for rescheduling cancelled school days in order for school administrative units to have another option to meet the minimum school year calendar requirements for this school year; 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 §4801, sub-§1, ¶F is enacted to read:

F. A school administrative unit operating under a plan approved by the commissioner may provide for a one-hour extension of the school day for up to 25 days in a school year. Notwithstanding the required number of school days under this subsection, 5 one-hour extensions may be counted as one additional school day. A school administrative unit may, with the approval of the commissioner pursuant to rules adopted in accordance with this subsection, implement extended days pursuant to this paragraph only for the purpose of making up school days missed due to weather or emergency closures.

Sec. 2. Amendment of rule. The Department of Education shall amend portions of Section 6 of its Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units to provide that the acceptable methods of rescheduling school days cancelled due to weather or emergency closures may include a one-hour extension of the school day for up to 25 days in a school year and to provide that 5 one-hour extensions may be counted as one additional school day.

Sec. 3. Expedited amendment process. Notwithstanding the Maine Revised Statutes, Title 5, chapter 375, subchapters 2 and 2-A and any other law, the Department of Education shall adopt the amendments to Section 6 of its Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units as provided in section 2 of this Act. The department shall file the amended rule with the Secretary of State as a final adopted rule within 7 business days of the effective date of this Act and the rule is effective upon filing. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. Beginning July 1, 2015,

any changes to Rule Chapter 125 are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective May 10, 2015.

CHAPTER 61

H.P. 152 - L.D. 220

An Act To Require Proper Notification of Life Insurance Cancellation

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

Whereas, coverage under the group life insurance coverage program administered by the Maine Public Employees Retirement System may be terminated for nonpayment of premium if premiums are not paid when due at the end of the month; and

Whereas, employees have no recourse to reinstate coverage following termination; and

Whereas, employees may not have received notice of cancellation during an unpaid leave of absence due to an accident or illness and family members learn of the termination of coverage only following the death of the employee; and

Whereas, this legislation would allow employees to designate a 3rd party to also receive a notice of cancellation prior to the termination of life insurance coverage to provide further protection to avoid termination of coverage; and

Whereas, immediate enactment of this legislation is needed to help preserve life insurance coverage for employees and their families; 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. 5 MRSA §18058, sub-§1, ¶D is enacted to read:

D. The employee may designate in writing the name and address of a 3rd party to whom notice must be provided as required in subsection 6.

Sec. 2. 5 MRSA §18058, sub-§6 is enacted to read:

6. Notice to employee and 3rd party prior to lapse or termination. Coverage for an employee may not be terminated for nonpayment of premium unless, at least 14 days prior to the lapse or termination of coverage, the board has mailed a notice of cancellation to the employee and any 3rd party designated by the employee by name and address in writing pursuant to subsection 1, paragraph D.

Sec. 3. Notification to existing employees. On or before July 1, 2015, the Maine Public Employees Retirement System shall provide an opportunity to all employees currently insured under the group life insurance program provided in accordance with the Maine Revised Statutes, Title 5, chapter 423, subchapter 6 to designate in writing the name and address of a 3rd party to whom notice of cancellation must be mailed prior to the cancellation of insurance coverage for nonpayment of premium.

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

Effective May 10, 2015.

CHAPTER 62

H.P. 233 - L.D. 339

An Act To Clarify That the Telephone Number 9-1-1 Is the Only Number Advertised or Promoted for Emergency Response Services

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

Sec. 1. 25 MRSA §2932, sub-§1, as enacted by PL 1999, c. 651, §3, is amended to read:

1. Designated emergency telephone number. The primary telephone number to be used in a telephone exchange to request emergency services following the activation of E-9-1-1 services for that exchange, including the number for telecommunications devices for communication for the deaf, hard-of-hearing and speech-impaired, is 9-1-1. A person may not advertise or promote for emergency response services any telephone number other than 9-1-1.

Sec. 2. 25 MRSA §2932, sub-§2, as enacted by PL 1999, c. 651, §3, is amended to read:

2. Publishing of 9-1-1. A publisher of a directory of Maine telephone numbers for use by telephone subscribers in Maine must include in a conspicuous portion of the directory:

~~A. For any area within the directory in which E 9 1 1 has not been activated, the emergency numbers of the State Police and any sheriffs' departments that serve the area; and~~

~~B. For any area within the directory in which E 9 1 1 has been activated, the The telephone number 9-1-1 as the primary telephone number to request emergency services. The number "9-1-1" must be accompanied by words indicating it is accessible by teletypewriter device, or TTY, such as "TTY/Voice." A publisher is not required to update a directory following an activation of E 9 1 1 within the directory area until the next regular printing of the directory.~~

Sec. 3. 25 MRSA §2932, sub-§5, as enacted by PL 1999, c. 651, §3, is amended to read:

5. Penalty. ~~Violation~~ A violation of subsection 1 or 3 is a civil offense for which a forfeiture of up to \$500 may be adjudged. A forfeiture may not be imposed under this subsection unless the person alleged to have violated subsection 1 received notification from the bureau director that the person's promotion or advertisement of a number other than 9-1-1 for emergency response services is, in the opinion of the bureau director, a violation of subsection 1 or the person alleged to have violated subsection 3 received notification from the bureau director that the person's commercial use of the number 9-1-1 is, in the opinion of the bureau director, a violation of subsection 3 and the. A person has been alleged to have violated either subsection 1 or 3 must be provided an opportunity to respond to that a notification of violation prior to the filing of an action pursuant to this subsection.

See title page for effective date.

CHAPTER 63

S.P. 133 - L.D. 350

An Act To Expedite MaineCare Payments for School Administrative Units

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

Sec. 1. 20-A MRSA §15689-A, sub-§22, as enacted by PL 2011, c. 655, Pt. C, §11, is amended to read:

22. MaineCare seed for school administrative units. The commissioner may deduct from a school administrative unit's state subsidy and pay on behalf of the school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a