

# 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.**

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**Augusta, Maine**  
**2015**

The commission may modify the amount of net generating capacity reserved under this paragraph based on program experience.

E. The total installed net generating capacity of program participants that receive the renewable energy credit multiplier incentive under section 3605 may not exceed 10 megawatts.

**Sec. 3. 35-A MRSA §3609**, as enacted by PL 2009, c. 329, Pt. A, §4, is repealed.

**Sec. 4. 35-A MRSA §3610** is enacted to read:

**§3610. Project deadline; completion deadline**

The commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into a long-term contract under this chapter nor allow a consumer-owned transmission and distribution utility to enter into a long-term contract under this chapter. All community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

**Sec. 5. Viability assessment; request for proposals.** The Public Utilities Commission shall review all certified program participant projects under the Maine Revised Statutes, Title 35-A, section 3603 that have not yet reached commercial operations to determine whether the projects are reasonably likely to achieve commercial operations within a 3-year period. For those projects the commission determines will not be viable within a 3-year period, the commission must revoke any contract awarded, but the project may still remain certified. To the extent there is less capacity remaining than is allowed under Title 35-A, section 3603, subsection 2 after the removal of nonviable projects, the commission shall conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts. A project under this process may not elect to choose the renewable energy credit multiplier incentive under Title 35-A, section 3605, and those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity under Title 35-A, section 3603, subsection 2. The commission shall select the projects that provide the most benefit to ratepayers and that have contract pricing levels below 10¢ per kilowatt hour within each contract year. To the maximum extent practicable, the commission must select projects to provide for a total net generating capacity for all projects to meet the maximum allowance under Title 35-A, section 3603, subsection 2 of 50 megawatts.

See title page for effective date.

**CHAPTER 233  
H.P. 812 - L.D. 1179**

**An Act To Prohibit Certain  
Payments with Respect to an  
Adoption**

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

**Sec. 1. 17-A MRSA §553-A** is enacted to read:

**§553-A. Illegal payment with respect to an adoption**

1. A person is guilty of illegal payment with respect to an adoption if that person:

A. Is the parent of a child or is a person whose consent is required pursuant to Title 18-A, section 9-302 and, in return for placing that child for adoption, intentionally or knowingly solicits or receives monetary payment or other valuable consideration that is not authorized by Title 18-A, section 9-306; or

B. With the intent of adopting a child, intentionally or knowingly provides, or offers to provide, the parent of that child or the person whose consent is required pursuant to Title 18-A, section 9-302 with monetary payment or other valuable consideration that is not authorized by Title 18-A, section 9-306.

2. Violation of this section is a Class D crime.

See title page for effective date.

**CHAPTER 234  
H.P. 985 - L.D. 1442**

**An Act To Establish a Bag  
Limit for Brook Trout on  
Portions of Webster Stream in  
Piscataquis 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**, the daily bag limit for brook trout established in this legislation for portions of Webster Stream in Piscataquis County needs to take effect prior to the fall fishing season for the proper fishery management of brook trout in those portions of Webster Stream; 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. 12 MRSA §12458, sub-§2** is enacted to read:

**2. Webster Stream.** Between August 16th and September 30th annually, there is a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake.

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

Effective June 22, 2015.

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**CHAPTER 235  
H.P. 289 - L.D. 422**

**An Act To Improve Access to  
Treatments for Lyme Disease**

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

**Sec. 1. 32 MRSA §3282-B** is enacted to read:

**§3282-B. Lyme disease treatment**

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

A. "Long-term antibiotic therapy" means the administration of oral, intramuscular or intravenous antibiotics, singly or in combination, for a period of time in excess of 4 weeks.

B. "Lyme disease" means:

(1) The presence of signs or symptoms compatible with acute infection with *Borrelia burgdorferi*;

(2) Late stage, persistent or chronic infection with *Borrelia burgdorferi*;

(3) Complications related to an infection under subparagraph (1) or (2); or

(4) The presence of signs or symptoms compatible with acute infection or late stage, persistent or chronic infection with other strains of *Borrelia* that are identified or recognized by the United States Department of Health and Human Services, Centers for Disease Control and Prevention as a cause of disease.

"Lyme disease" includes an infection that meets the surveillance criteria for Lyme disease established by the federal Centers for Disease Control and Prevention or a clinical diagnosis of Lyme disease that does not meet the surveillance criteria for Lyme disease set by the federal Centers for Disease Control and Prevention but presents other acute and chronic signs or symptoms of Lyme disease as determined by a patient's treating physician.

**2. Lyme disease treatment.** A physician licensed under this chapter may prescribe, administer or dispense long-term antibiotic therapy for a therapeutic purpose to eliminate infection or to control a patient's symptoms upon making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease. The physician shall document the clinical diagnosis and treatment in the patient's medical record. The clinical diagnosis must be based on knowledge obtained through medical history and physical examination only or in conjunction with testing that provides supportive data for the clinical diagnosis.

See title page for effective date.

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**CHAPTER 236  
H.P. 374 - L.D. 550**

**An Act To Improve the Process  
for Obtaining an Adjustment  
in State Valuation Due to  
Sudden and Severe Reduction  
in Municipal Valuation**

**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 value of property within a municipality has a great effect on the calculation of the municipality's required contribution for funding local schools; and

**Whereas,** the sudden closure of businesses has a severe effect on municipal property valuations that is not currently accounted for in the calculation of general purpose aid for local schools; and

**Whereas,** immediate relief is necessary to ensure municipalities with sudden and severe impacts upon property valuations are able to preserve adequate funding for education; 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-