

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2016 to August 2, 2017**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**NOVEMBER 1, 2017**

**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**  
**2017**

**Sec. 2. 22 MRSA §3474, sub-§2, ¶J**, as enacted by PL 2007, c. 140, §3 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

J. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pursuant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B; and

**Sec. 3. 22 MRSA §3474, sub-§2, ¶K** is enacted to read:

K. The personal representative of the estate of an incapacitated or dependent adult who dies while under public guardianship or public conservatorship.

See title page for effective date.

## CHAPTER 56

### H.P. 835 - L.D. 1198

#### An Act To Enhance the Administration of the State's Group Health Plan

**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 contract for the State's group health plan expired on June 30, 2016; and

**Whereas**, the State is currently in the competitive bidding process for awarding the next group health plan for state employees; and

**Whereas**, allowing the term of the State's next group health plan to be extended will enhance the administration of the plan and benefit the plan members; 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 §285, sub-§5**, as amended by PL 1995, c. 368, Pt. G, §1, is further amended to read:

**5. Purchase of policies.** The commission shall purchase, by competitive bidding, from one or more insurance companies, nonprofit organizations, 3rd-party administrators or any organization necessary to

administer and provide a health plan, a policy or policies or contract, to provide the benefits specified by this section. The purchase of policies by the commission must be accomplished by use of a written contract that must be fully executed within 90 calendar days of notification of bid acceptance from the commission to the insurer. In extenuating circumstances, the Commissioner of Administrative and Financial Services may grant a waiver to that 90-day limit. Notwithstanding this subsection, with the consent of the policyholder and of the insurer and at the sole discretion of the commission, existing policies of insurance covering at least 1,000 of the employees defined as eligible by this section may be amended to provide the benefits specified by this section and assigned to the Commissioner of Administrative and Financial Services for the benefit of all those eligible under this section. The company or companies or nonprofit organizations must be licensed under the laws of the State, when applicable. The policy provisions are subject to and as provided for by the insurance laws of this State, when applicable. Notwithstanding any other provisions of law, the term of a contract executed with a successful bidder may not exceed 3 years unless extended in one-year increments for up to 3 additional years.

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

Effective May 11, 2017.

## CHAPTER 57

### H.P. 605 - L.D. 856

#### An Act To Extend the Germination Testing Period for Cool-weather Lawn and Turf Seed from 9 to 15 Months

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

**Sec. 1. 7 MRSA §1044, sub-§1, ¶A** is amended to read:

A. Unless the test to determine the percentage of germination required by section 1043 ~~shall have~~ has been completed within a 9-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale or offering for sale or transportation except that, with regard to cool-weather lawn and turf seed, that test must have been completed within a 15-month period pursuant to this paragraph. As used in this paragraph, "cool-weather lawn and turf seed" includes Kentucky bluegrass, red fescue, Chewing's fescue, hard fescue, tall fescue, perennial ryegrass, intermediate ryegrass, annual ryegrass, colonial bentgrass and creeping bentgrass;