

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**October 23, 2017 to November 6, 2017**

**SECOND REGULAR SESSION**  
**January 3, 2018 to May 2, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 5, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**AUGUST 1, 2018**

**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**  
**2018**

**CHAPTER 394  
H.P. 1314 - L.D. 1881**

**An Act To Authorize the  
Treasurer of State To Facilitate  
the Establishment of ABLE  
Accounts for Qualified Persons**

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

**Whereas,** this legislation authorizes the Treasurer of State to establish the ABLE ME Savings Program to allow an individual with a disability to establish a federal tax-advantaged savings account and use the funds in that account to pay for the individual's care; and

**Whereas,** in anticipation of this legislation, the Treasurer of State has developed the program to comply with federal law with a partner financial institution in this State; and

**Whereas,** this legislation must be enacted before an individual with a disability may open an ABLE account in this State; 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 §156** is enacted to read:

**§156. Authorization to establish program**

The Treasurer of State is authorized to establish in this State the ABLE ME Savings Program, referred to in this section as "the program," to allow an individual with a disability to establish a federal tax-advantaged savings account and use the funds in that account to pay for the individual's care. The program must comply with the requirements of the federal Achieving a Better Life Experience Act of 2014, Public Law 113-295.

The Treasurer of State may adopt routine technical rules pursuant to chapter 375, subchapter 2-A to implement the provisions of this section, including all terms and conditions of the program.

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

Effective April 18, 2018.

**CHAPTER 395  
H.P. 1330 - L.D. 1897**

**An Act To Reinstate Certain  
Other Special Revenue Funds  
Allocations for the Maine  
Commission on Indigent Legal  
Services**

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

**Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE  
COMMISSION ON**

**Reserve for Indigent Legal Services Z258**

Initiative: Allocates funds from reimbursement of counsel fees and from conference training fees.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$793,497
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$793,497

See title page for effective date.

**CHAPTER 396  
S.P. 314 - L.D. 958**

**An Act To Enact the Uniform  
Emergency Volunteer Health  
Practitioners Act**

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

**Sec. 1. 24 MRSA §2904, sub-§1, ¶A,** as enacted by PL 2003, c. 438, §2, is amended to read:

A. A licensed health care practitioner who voluntarily, without the expectation or receipt of monetary or other compensation either directly or indirectly, provides professional services within the scope of that health care practitioner's licensure:

- (1) To a nonprofit organization;
- (2) To an agency of the State or any political subdivision of the State;
- (3) To members or recipients of services of a nonprofit organization or state or local agency;