

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

HIGHWAY FUND	2019-20	2020-21
All Other	\$0	\$56,779
HIGHWAY FUND TOTAL	\$0	\$56,779

See title page for effective date.

**CHAPTER 419
S.P. 28 - L.D. 75**

An Act To Protect Earned Pay

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

Sec. 1. 26 MRSA §1193, sub-§5, as amended by PL 2011, c. 645, §8, is further amended to read:

5. Receiving remuneration. For any week with respect to which the individual is receiving, has been scheduled to receive or has received remuneration in the form of:

A. Dismissal wages, wages in lieu of notice, or terminal pay ~~or holiday pay; or~~

~~A-1. Any vacation pay in an amount exceeding the equivalent of 4 weeks' wages for that individual; or~~

B. Benefits under the unemployment compensation or employment security law of any state or similar law of the United States.

If the remuneration under paragraph A is less than the benefits that would otherwise be due under this chapter, the individual is entitled to receive for that week, if otherwise eligible, benefits reduced by the amount of the remuneration, rounded to the nearest lower full dollar amount. ~~Earned vacation pay that is paid to the individual prior to the individual's being notified orally or in writing by the employer of the employer's intent to sever the employment relationship is not considered remuneration for purposes of this subsection;~~

See title page for effective date.

**CHAPTER 420
H.P. 64 - L.D. 78**

An Act To Facilitate Access to the MaineCare Family Planning Benefit

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

Sec. 1. 22 MRSA §3173-G, as enacted by PL 2015, c. 356, §1 and affected by §4, is repealed and the following enacted in its place:

§3173-G. Medicaid coverage for reproductive health care and family planning services

1. Family planning benefit. The department shall provide for the delivery of federally approved Medicaid services to a qualified adult or adolescent whose individual income is equal to or below 209% of the nonfarm income official poverty line for reproductive health care and family planning services, as described in 42 United States Code, Section 1396d(a)(4)(C), including pregnancy prevention, testing and treatment for sexually transmitted infection or cancer and access to contraception, in accordance with the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152.

2. Presumptive eligibility. If a MaineCare provider determines that an adult or adolescent is likely to be eligible for services under this section, the provider must be reimbursed for services provided under this section until the department determines that the adult or adolescent is not eligible. The department shall implement this subsection in accordance with 42 United States Code, Section 1396r-1.

3. Rules. The department shall adopt routine technical rules as defined by Title 5, chapter 375, subchapter 2-A to carry out the provisions of this section.

See title page for effective date.

**CHAPTER 421
H.P. 139 - L.D. 176**

An Act To Enhance Participation on the State Board of Education

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

Sec. 1. 20-A MRSA §401, sub-§2, as amended by PL 2007, c. 179, §2, is further amended to read:

2. Composition. ~~The membership of the state board must be broadly representative of the geographic regions of the State and of municipalities of varying sizes. A person whose income is derived in substantial portion from work as a teacher or as an administrator in an educational institution is not eligible for appointment to or service on the state board. Members must have a strong interest in and knowledge of education.~~

Sec. 2. 20-A MRSA §401, sub-§6 is enacted to read: