

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

The fund may also be used to provide financial assistance for capital investment in private and commercial wastewater systems as allowed under Title 38, sections 411 and 411-A.

Sec. 2. 30-A MRSA §6054, sub-§5, ¶A, as enacted by PL 2013, c. 269, Pt. B, §2, is repealed and the following enacted in its place:

A. Thirty percent to the State Water and Wastewater Infrastructure Fund established pursuant to section 6006-H and divided as follows:

(1) Forty-five percent to an account within the State Water and Wastewater Infrastructure Fund for drinking water purposes divided as follows:

(a) Up to the maximum amount allowed for the state match for federal funds provided to the safe drinking water revolving loan fund established under section 6006-B to an account within the Department of Health and Human Services for revolving loan funds for drinking water systems; and

(b) The remainder to the Maine Drinking Water Fund established pursuant to Title 22, section 2610; and

(2) Fifty-five percent to an account within the State Water and Wastewater Infrastructure Fund for wastewater purposes divided as follows:

(a) Up to the maximum amount allowed for the state match for federal funds provided to the revolving loan fund established under section 6006-A to an account within the Department of Environmental Protection for revolving loans for wastewater treatment; and

(b) The remainder to the Maine Clean Water Fund established pursuant to Title 38, section 411-C;

Sec. 3. 38 MRSA §411-C, sub-§1, ¶A, as enacted by PL 2009, c. 377, §3, is amended to read:

A. The fund is established as a nonlapsing fund to provide financial assistance, in accordance with subsection 2, for the acquisition, planning, design, construction, reconstruction, enlargement, repair, protection and improvement of public wastewater systems and treatment facilities and water pollution abatement systems.

Sec. 4. 38 MRSA §411-C, sub-§2, ¶A, as enacted by PL 2009, c. 377, §3, is amended to read:

A. To make grants to public wastewater systems under sections 411, 411-A and 412;

See title page for effective date.

CHAPTER 424

H.P. 285 - L.D. 376

An Act To Expand Health Insurance Options for Town Academies

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

Sec. 1. 5 MRSA §285, sub-§1, ¶J, as amended by PL 2011, c. 438, §2, is further amended to read:

J. Legislative employees that are recipients of retirement allowances from the Maine Public Employees Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42; ~~and~~

Sec. 2. 5 MRSA §285, sub-§1, ¶K, as enacted by PL 2011, c. 438, §3, is amended to read:

K. Any employee of a school administrative unit as defined in Title 20-A, section 1, subsection 26 or of an educational advisory organization as described in Title 30-A, section 5724, subsection 9; ~~and~~

Sec. 3. 5 MRSA §285, sub-§1, ¶L is enacted to read:

L. Any employee of an academy approved for tuition purposes in accordance with Title 20-A, sections 2951 to 2955.

Sec. 4. 5 MRSA §285, sub-§1-B, as amended by PL 2011, c. 438, §4, is further amended to read:

1-B. Ineligibility. Except as provided in subsection 1, ~~paragraph~~ paragraphs K and L and subsection 11-A, members of the Maine Municipal Association and employees of counties and municipalities and instrumentalities thereof, including quasi-municipal corporations, are not eligible to participate in the group health plan under this section.

Sec. 5. Enrollment. An academy approved for tuition purposes in accordance with the Maine Revised Statutes, Title 20-A, sections 2951 to 2955 that elects to enroll its employees in the group health plan in accordance with this Act may enroll in the group health plan on the first day of the month following the termination of the academy's prior group health plan, but no sooner than January 1, 2020. For an employee hired after January 1, 2020 or who becomes eligible for the group health plan based on a qualifying life event occurring after January 1, 2020, the employee may enroll in the group health plan on the first day of the month after the date on which the employee becomes eligible for enrollment.

See title page for effective date.

**CHAPTER 425
H.P. 301 - L.D. 392**

**An Act To Fund Maine's
School-based Health Centers**

**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.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides ongoing funding to the State's school-based health centers.

FUND FOR A HEALTHY MAINE	2019-20	2020-21
All Other	\$600,000	\$600,000
FUND FOR A HEALTHY MAINE TOTAL	\$600,000	\$600,000

See title page for effective date.

**CHAPTER 426
S.P. 121 - L.D. 443**

**An Act To Prevent Vitamin K
Deficiency Bleeding and Eye
Damage in Infants**

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

Sec. 1. 22 MRSA §1531, as enacted by PL 1983, c. 848, §2, is repealed and the following enacted in its place:

§1531. Care of infants after birth

1. Prophylactic ophthalmic ointment and reporting requirement. Every physician, midwife or nurse in charge shall instill or cause to be instilled into the eyes of an infant within 24 hours after its birth prophylactic ophthalmic ointment prescribed by the department and provided without cost by the department. If one or both eyes of an infant become reddened or inflamed at any time within 4 weeks after birth, the midwife, nurse or person having charge of

the infant shall report the condition of the eyes at once to a physician licensed under Title 32, chapter 36 or 48.

2. Vitamin K injection. Every physician, midwife or nurse in charge shall administer 0.5 or 1 milligram, based on the infant's weight, of vitamin K to an infant intramuscularly within 6 hours after the infant's birth.

3. Rulemaking. The department shall adopt rules to implement this section, including, but not limited to, creating and making publicly available a brochure about the medical benefits and risks of administering the prophylactic ophthalmic ointment and vitamin K injection, and providing a form on which a parent can refuse the prophylactic ophthalmic ointment or vitamin K injection for the infant of that parent.

Sec. 2. Department of Health and Human Services to amend form. The Department of Health and Human Services shall amend its newborn blood spot screening refusal form to include a section permitting a parent to refuse the prophylactic ophthalmic ointment or vitamin K injection required under the Maine Revised Statutes, Title 22, section 1531 for the infant of that parent.

Sec. 3. Appropriations and allocations.
The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

**Maine Center for Disease Control and Prevention
0143**

Initiative: Provides funding for the Department of Health and Human Services to create and provide brochures about the medical benefits and risks of the prophylactic ointment and vitamin K treatments.

GENERAL FUND	2019-20	2020-21
All Other	\$7,500	\$2,500
GENERAL FUND TOTAL	\$7,500	\$2,500

See title page for effective date.