

# 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.**

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**Augusta, Maine**  
**2019**

**9. Project sponsor report.** One year after commercial operation of a shared distributed generation resource commences, the project sponsor must submit to the commission a report detailing compliance with this subsection and subsections 3, 5, 7 and 8.

**§3487. Bill credits; utility costs paid by project sponsor**

**1. Credit assigned to a customer's bill.** If the value of a credit to be applied to a customer's bill under this chapter is less than the amount owed by the customer at the end of the applicable billing period, the customer must be billed for the difference between the amount shown on the bill and the value of the available credit. If the value of the credit to be applied to a customer's bill under this chapter is greater than the amount owed by the customer at the end of the billing period, the remaining value of the credit must carry over from month to month.

**2. Utility costs paid by project sponsor.** If a project sponsor pays an investor-owned transmission and distribution utility's costs associated with billing and collection from a subscriber, at the request of the project sponsor the utility shall bill the subscriber on behalf of the project sponsor. Costs under this subsection are subject to review by the commission.

**§3488. Rules**

The commission shall adopt rules to implement this chapter. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. B-2. Rulemaking timeline.** By January 1, 2020, the Public Utilities Commission shall adopt rules in accordance with the Maine Revised Statutes, Title 35-A, section 3488 to implement the provisions of Title 35-A, sections 3484, 3485 and 3486.

**Sec. B-3. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC UTILITIES COMMISSION**

**Public Utilities - Administrative Division 0184**

Initiative: Provides allocation for one Staff Attorney position and 2 Utility Analyst positions and associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$309,168	\$428,719
All Other	\$25,815	\$22,939
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$334,983</b>	<b>\$451,658</b>

**Public Utilities - Administrative Division 0184**

Initiative: Provides funding for consulting services.

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
All Other	\$400,000	\$400,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$400,000</b>	<b>\$400,000</b>
<b>PUBLIC UTILITIES COMMISSION DEPARTMENT TOTALS</b>	<b>2019-20</b>	<b>2020-21</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$734,983</b>	<b>\$851,658</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$734,983</b>	<b>\$851,658</b>

See title page for effective date.

**CHAPTER 479**

**S.P. 336 - L.D. 1116**

**An Act To Strengthen the Lead Poisoning Control Act**

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

**Whereas,** immediately amending the Lead Poisoning Control Act is required to ensure the safety of children; 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. 22 MRSA §1314-A,** as enacted by PL 1991, c. 810, §1, is amended to read:

**§1314-A. Goal**

The goal of the State in the area of lead poisoning is to eradicate childhood lead poisoning by the year ~~2010~~ 2030 through the elimination of potential sources of environmental lead. By January 1, ~~1997~~ 2025, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over ~~human resource~~ health and human services matters

regarding progress made toward this goal. The report must include any recommendations the department may have to revise the goal, along with any necessary legislation.

**Sec. 2. 22 MRSA §1317-D, sub-§4**, as enacted by PL 2001, c. 683, §3 and affected by §10, is amended to read:

**4. Testing of children not covered by MaineCare program.** The program must require the testing of blood lead levels of all children not covered by the MaineCare program at one year of age and 2 years of age ~~unless, in the professional judgment of the provider of primary health care, in conjunction with the use of the lead poisoning risk assessment tool, the child's level of risk does not warrant a blood lead level test.~~ The drawing of blood for the testing may be done in the health care provider's office or may be referred to another laboratory.

**Sec. 3. 22 MRSA §1322-F, sub-§4**, as amended by PL 2007, c. 628, Pt. A, §6, is further amended to read:

**4. Contingent repeal.** This section is repealed when the Commissioner of Health and Human Services certifies that a period of 24 months has elapsed since the Department of Health and Human Services identified a child with an elevated blood lead level through screening by health care providers under section 1317-C. The Commissioner of Health and Human Services shall provide notice to the Secretary of the Senate, the Clerk of the House of Representatives and the Office of the Revisor of Statutes when this condition has been met. For purposes of this subsection, "elevated blood lead level" means a confirmed level of blood lead ~~of 10 that is equal to or exceeds 5 micrograms per deciliter or a level of blood lead defined by the federal Department of Health and Human Services, Centers for Disease Control and Prevention, whichever is lower.~~

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

Effective June 27, 2019.

**CHAPTER 480  
S.P. 214 - L.D. 701**

**An Act To Modernize the  
National School Lunch  
Program and the School  
Breakfast Program**

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

**Sec. 1. 20-A MRSA §6601-A**, as enacted by PL 2017, c. 238, §1, is amended to read:

**§6601-A. Free or reduced-price school meals;  
Internet-based school meal applications**

The department shall ~~make information available to public schools regarding~~ contract for the development and implementation of an Internet-based ~~application for eligible students~~ application for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210 and the School Breakfast Program under 7 Code of Federal Regulations, Part 220. The department shall make available to public schools the Internet-based application for free or reduced-price meals developed under this section. A public school may make ~~an~~ the Internet-based application available for school meal applications. If a public school implements ~~an~~ the Internet-based application process under this section, the public school shall ~~make available a~~ continue to distribute paper application applications for school meals to ~~any student, parent or legal guardian who requests one~~ all students. A public school implementing the Internet-based application is solely responsible for processing that school's online applications.

**Sec. 2. Internet-based application development.** The Department of Education shall make the Internet-based application for free or reduced-price school meals under the Maine Revised Statutes, Title 20-A, section 6601-A available by October 1, 2019. The department may contract with a 3rd-party vendor to develop and implement the Internet-based application.

**Sec. 3. Transfer of funds.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer to the unappropriated surplus of the General Fund \$650,000 no later than June 30, 2020 and \$150,000 no later than June 30, 2021 from the Medical Use of Marijuana Fund, established in the Maine Revised Statutes, Title 22, section 2430.

**Sec. 4. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF  
Alternative Breakfast Delivery Service Program  
N318**

Initiative: Provides one-time funding in fiscal year 2019-20 only to school administrative units that start or expand alternative breakfast delivery services that provide breakfast after the start of the school day. A school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year qualifies for funding. The department is required to develop guidelines to allocate and disburse the funding to participating schools. Guidelines must be devel-