

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

department's administration of the laws and rules regarding septic system inspections and certification of septic system inspectors.

After reviewing the report under this section, the committee may report out a bill related to the information contained in the report to the Second Regular Session of the 129th Legislature.

See title page for effective date.

CHAPTER 14
H.P. 83 - L.D. 97

Resolve, Regarding Legislative Review of Portions of Chapter 38: Suicide Awareness and Prevention in Maine Public Schools, a Major Substantive Rule of the Department of Education

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 38: Suicide Awareness and Prevention in Maine Public Schools, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A within the rule acceptance period, is authorized only if the following changes are made:

1. The rule must be amended in the Section IV that governs protocols for suicide prevention and intervention by specifying that protocols must be based on the best practices established and maintained by the

National Alliance on Mental Illness or a similar organization authorized by the Department of Health and Human Services through its suicide prevention program and the Department of Education;

2. The rule must be amended in the Section IV that governs protocols for suicide prevention and intervention by providing that the protocol development resources must provide protocol templates, models and examples of forms, protocols and flow charts that can be adapted as needed by school administrative units;

3. The rule must be amended in the Section IV that governs protocols for suicide prevention and intervention by requiring that the school administrative units must certify to the Department of Education that the required protocols are in place;

4. The rule must be amended in the Section IV that governs protocols for suicide prevention and intervention by striking the provision that guidance for protocols is available through the Maine Suicide Prevention Program; and

5. All other necessary changes must be made to the rule to ensure conformity throughout the rule with the changes directed in this section.

The Department of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective April 22, 2019.

CHAPTER 15
S.P. 458 - L.D. 1495

Resolve, Regarding the Revision of Title 28-A of the Maine Revised Statutes

Sec. 1. Resolve 2017, c. 18, repealed. Resolved: That Resolve 2017, c. 18 is repealed.

Sec. 2. Office of Policy and Legal Analysis to prepare and submit analysis. Resolved: That the Office of Policy and Legal Analysis shall prepare an analysis regarding inconsistencies, duplications and ambiguities contained within the text of the Maine Revised Statutes, Title 28-A and, on or before January 1, 2020, submit that analysis to the Joint Standing Committee on Veterans and Legal Affairs.

Sec. 3. Authority for legislation. Resolved: That the Joint Standing Committee on Veterans and Legal Affairs may report out legislation to the Second Regular Session of the 129th Legislature pro-

posing revisions to the Maine Revised Statutes, Title 28-A in response to the analysis submitted by the Office of Policy and Legal Analysis staff pursuant to section 2.

See title page for effective date.

CHAPTER 16
H.P. 25 - L.D. 24

**Resolve, Regarding Legislative
Review of Chapter 26:
Producer Margins, a Major
Substantive Rule of the Maine
Milk Commission**

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of Chapter 26: Producer Margins, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Maine Milk Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is not authorized.

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

Effective April 30, 2019.

CHAPTER 17
H.P. 85 - L.D. 99

**Resolve, Regarding Legislative
Review of Portions of Chapter
101: MaineCare Benefits
Manual, Chapter III, Section
29: Allowances for Support
Services for Adults with
Intellectual Disabilities or
Autism Spectrum Disorder, a
Major Substantive Rule of the
Department of Health and
Human Services**

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following change is made:

1. The rule must be amended in Appendix I to increase the rate for procedure code T2017 QC from \$1.63 per 1/4 hour to \$2.00 per 1/4 hour.

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

Effective April 30, 2019.
