

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

arts and world languages, as described in the parameters for essential instruction and graduation requirements subject to the schedule specified in section 6209. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness.

Sec. 3. 20-A MRSA §4721, sub-§1, as enacted by PL 2009, c. 313, §13, is amended to read:

1. Comprehensive program of instruction. A secondary school shall provide a comprehensive program of instruction of at least 2 years in length, which must meet the requirements of this chapter and the parameters for essential instruction and graduation requirements established under section 6209. The program must include instruction for all students in life and career and education development readiness, English language arts, health education and physical education, mathematics, science and technology, social studies, visual and performing arts and world languages.

Sec. 4. 20-A MRSA §4730 is enacted to read:
§4730. Life and career readiness standards

Recognizing that students will choose to enter the workforce in different ways and consistent with the life and career readiness standards pursuant to section 6209, each school administrative unit shall offer relevant opportunities that may include interactive experiences and allow for direct exposure between students and a variety of career options to help students develop habits of efficacy, resourcefulness and adaptability as the students take steps to create and implement postsecondary school plans.

Sec. 5. 20-A MRSA §6209, first ¶, as amended by PL 2015, c. 489, §3, is further amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, which may include a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, as set forth in this section and in department rules implementing this section and other curricular requirements. The department must establish accountability standards at all grade levels in the areas of mathematics; reading; and science and technology. The department shall establish parameters for essential instruction in English language arts; mathematics; science and technology; social studies; life and career and education development readiness; visual and performing arts; health, physical education and wellness; and world languages. Only a public school, a public charter school as defined in section 2401, subsection 9 or a private school approved for tuition purposes that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average

enrollment, is required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with disabilities as defined in section 7001, subsection 1-B.

Sec. 6. 20-A MRSA §6209, sub-§2, ¶A, as amended by PL 2007, c. 259, §5, is repealed and the following enacted in its place:

A. Life and career readiness;

Sec. 7. 20-A MRSA §6209, sub-§3, as amended by PL 2007, c. 259, §5, is further amended to read:

3. Career and education development; world World languages; visual and performing arts. By the end of the 2007-2008 school year, each local school administrative unit shall implement standards in the areas of ~~career and education development~~, world languages and visual and performing arts. Notwithstanding any other provision of this chapter, the commissioner is authorized to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2011-2012.

See title page for effective date.

CHAPTER 191

H.P. 84 - L.D. 118

An Act To Address Maine's Shortage of Behavioral Health Services for Minors

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

Sec. 1. 34-B MRSA §15003, sub-§9, as amended by PL 2019, c. 343, Pt. DDD, §7, is further amended to read:

9. Reports. The department shall report by ~~August~~ January 1st of each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the following matters:

A. The operation of the program, including ~~fiscal status of the accounts and funds from all sources, including blended, pooled and flexible funding, related to children's mental health care in the departments; numbers of children and families served and their residences by county; numbers of children transferred to care in this State and the types of care to which they were transferred; any waiting lists; delays in delivering services;~~ the progress of the

~~departments department in developing new resources implementing improvement strategies; and appeals procedures requested, held and decided; including the results of decided appeals and audits; and evaluations done on the program;~~

~~B. The experiences of the departments in coordinating program administration and care delivery, including, but not limited to, progress on management information systems; uniform application forms, procedures and assessment tools; case coordination and case management; the use of pooled and blended funding; and initiatives Initiatives in acquiring and using federal and state funds grant funding; and~~

~~C. Barriers to improved delivery of care to children and their families and the progress of the departments department in overcoming those barriers; and~~

~~D. The number of children served by crisis providers and the number of children who waited for the appropriate level of behavioral health treatment in a hospital emergency room during the preceding year. The department shall make a reasonable effort to obtain information from providers, including implementing a standardized system for the reporting of data. Data collected pursuant to this paragraph must protect the confidentiality of all persons involved to the same extent as otherwise required by state or federal law or rule.~~

Sec. 2. 34-B MRSA §15003, sub-§10, as amended by PL 2019, c. 343, Pt. DDD, §8, is repealed.

Sec. 3. Standardized data. The Department of Health and Human Services shall work with hospitals to develop a consistent and reliable system of data definitions and data collection to identify the number of children with behavioral needs who remain in hospital emergency rooms after they no longer need a medical hospital level of care pursuant to the Maine Revised Statutes, Title 34-B, section 15003, subsection 9, paragraph D. The data must include the length of stay of a child in hospital beyond 48 hours after the child no longer needs a hospital level of care and the reasons for the extended stay, including, but not limited to, the lack of an appropriate hospital or residential bed or lack of community services. In the department’s annual report due to the Legislature pursuant to Title 34-B, section 15003, subsection 9, for January 1, 2022, the annual report must include a description of the progress in developing standardized data pursuant to this section.

See title page for effective date.

**CHAPTER 192
H.P. 161 - L.D. 226**

**An Act To Limit the Use of
Hydrofluorocarbons To Fight
Climate Change**

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

Sec. 1. 38 MRSA §1612 is enacted to read:

§1612. Hydrofluorocarbon use restrictions

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Aerosol propellant" means a liquefied or compressed gas, including, but not limited to, a cosolvent that is used in whole or in part to expel a liquid or other material from a self-pressurized container containing that liquid or other material or from a separate container.

B. "Air conditioning equipment" means chillers used exclusively for the comfort cooling of occupied spaces.

C. "Built-in household refrigerator or freezer" means a refrigerator, refrigerator-freezer or freezer designed for residential use that:

(1) Has 7.75 cubic feet, or 220 liters, or greater total refrigerated volume and 24 inches or less depth not including doors, handles and custom front panels;

(2) Has sides that are not finished and are not designed to be visible after installation;

(3) Is designed, intended and marketed exclusively to be installed completely encased by cabinetry or panels that are attached during installation and securely fastened to adjacent cabinetry, walls or flooring; and

(4) Is equipped with an integral factory-finished face or that accepts a custom front panel.

D. "Capital cost" means an expense incurred in the production of goods or in the rendering of services, including, but not limited to, the cost of engineering; the cost of the purchase and installation of components or systems and instrumentation; and contractor and construction fees.

E. "Centrifugal chiller" means air conditioning equipment that uses a centrifugal compressor in a vapor-compression refrigeration cycle and is designed for comfort cooling. "Centrifugal chiller" does not include air conditioning equipment used for industrial process cooling and refrigeration.