

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

authorization before transporting an enrollee to a hospital or between hospitals for urgent care.

Sec. 4. 24-A MRSA §4303-F, sub-§3, as enacted by PL 2021, c. 241, §3, is amended to read:

3. Exemption. This Except as provided in subsection 1, paragraph E, this section does not apply to air ambulance services.

Sec. 5. Authority to report out legislation. Based on recommendations from stakeholders after further study, the joint standing committee of the Legislature having jurisdiction over health coverage, insurance and financial services matters may report out legislation to the 132nd Legislature in 2025 related to reimbursement by health insurance carriers for health care services provided by community paramedicine personnel as described in the Maine Revised Statutes, Title 32, section 84, subsection 4.

See title page for effective date.

CHAPTER 592

H.P. 1350 - L.D. 2126

An Act Relating to Delegation of Nursing Activities and Tasks to Unlicensed Assistive Personnel by Registered Professional Nurses

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

Sec. 1. 32 MRSA §2102, sub-§2, ¶H, as enacted by PL 1995, c. 670, Pt. C, §6 and affected by Pt. D, §5, is repealed and the following enacted in its place:

H. Delegation of specific nursing activities and tasks to be provided by unlicensed assistive personnel. This paragraph may not be construed to require a nurse to delegate, or permit a person to coerce a nurse into delegating, specific nursing activities and tasks in any care setting against the nurse's professional judgment or to prohibit a nurse in the exercise of the nurse's professional judgment from refusing to delegate specific nursing activities and tasks in any care setting. The board shall adopt such rules concerning delegation as it considers necessary to ensure access to quality health care for the patient. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 32 MRSA §2102, sub-§11 is enacted to read:

11. Unlicensed assistive personnel. "Unlicensed assistive personnel" means individuals trained to function in a supportive role, regardless of job title, to

whom a specific nursing activity or task may be delegated. "Unlicensed assistive personnel" does not include certified nursing assistants or individuals employed in practical nursing or unpaid individuals performing tasks at the direction of a patient.

See title page for effective date.

CHAPTER 593

H.P. 391 - L.D. 614

An Act to Reduce Conflicts Between Landowners and Deer and Add an Additional Youth Deer Hunting Day

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

Sec. 1. 12 MRSA §10264, as amended by PL 2023, c. 187, §2, is further amended to read:

§10264. Maine Deer Management Fund

The Maine Deer Management Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund to be used by the commissioner to fund or assist in funding predator control, to assist landowners with the prevention or management of landowner-deer conflict and to acquire or enhance deer habitat. If the funds from the fund are used to directly enhance or manage a deer wintering area on land under the jurisdiction of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands, the land must be designated as a deer wintering area pursuant to section 1805-A. The commissioner shall establish on the department's online licensing system checkoff options that allow a person to donate money for predator control, landowner-deer conflict prevention or management or deer habitat acquisition or enhancement. ~~The checkoff options must be prominently displayed and contain web links to information about how the checkoff revenues have been and will be used. The commissioner shall also print in a prominent place on every paper application for a hunting license checkoff options that allow a person to donate money to the fund for predator control or deer habitat acquisition or enhancement. Revenues from the checkoffs must be deposited in the fund and used for purposes indicated by the checkoffs.~~

Notwithstanding section 10801, subsection 4, \$2 of each deer registration fee collected under section 12301-A, subsection 3, paragraph C must be deposited in the fund and may be used to assist landowners with the prevention or management of landowner-deer conflicts. Fifty percent of the funds deposited in the fund from the deer registration fees must be used for predator control purposes and 50% of the deposited fees must be used to acquire or enhance deer habitat. In addition, the revenue from each antlerless deer permit

fee collected under section 11152, subsection 9, minus administrative costs, must be deposited in the fund and be used for predator control purposes or to acquire or manage deer habitat. The commissioner may accept and deposit into the fund monetary gifts, donations or other contributions from public or private sources for the purposes specified in this section. The fund must be held separate and apart from all other money, funds and accounts. The department shall report annually to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the fund and its utilization.

Sec. 2. 12 MRSA §11402, sub-§4, ¶C, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

C. Establish a 2-day youth deer hunting day period, to be held on the Friday and Saturday preceding the Saturday designated as an open day for residents of the State pursuant to section 11401.

Sec. 3. Report. By February 1, 2027, the Department of Inland Fisheries and Wildlife shall provide a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters that includes findings and recommendations related to the extension of the youth deer hunting period under the Maine Revised Statutes, Title 12, section 11402, subsection 4, paragraph C. The committee may report out a bill based on the report to the 133rd Legislature in 2027.

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

**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

Resource Management Services - Inland Fisheries and Wildlife 0534

Initiative: Provides allocations for expenditures related to assisting landowners with the prevention or management of landowner-deer conflicts.

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$0	\$71,628
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$71,628

See title page for effective date.

**CHAPTER 594
H.P. 945 - L.D. 1490**

An Act to Reduce Rental Housing Costs by Limiting Additional Fees at or Prior to the Commencement of Tenancy

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

Sec. 1. 10 MRSA §9093, sub-§2, as enacted by PL 1987, c. 737, Pt. B, §1 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed and the following enacted in its place:

2. Increases or changes. The mobile home park owner or operator shall give at least 30 days' written notice to all tenants before changing any rules, except that any notice of an increase in rent or fees must be consistent with the notice requirements for residential estates in Title 14, sections 6015 and 6016.

Sec. 2. 10 MRSA §9093-A is enacted to read:

§9093-A. Fees charged to applicants for lease of mobile home or mobile home park lot

1. Fees prohibited generally. Except as provided in subsection 2, a mobile home park owner or operator may not require an applicant to pay a fee to submit an application to enter into an agreement for rental of a mobile home or mobile home park lot or require an applicant to pay a fee for the mobile home park owner or operator to review or approve an application to enter into an agreement for rental of a mobile home or mobile home park lot.

2. Exceptions. A mobile home park owner or operator, in connection with an application to enter into an agreement for rental of a mobile home or mobile home park lot, may require an applicant to pay only one of the following:

- A. The actual cost of a background check;
- B. The actual cost of a credit check; or
- C. The actual cost of a screening process other than those specified in paragraphs A and B.

A mobile home park owner or operator shall provide an applicant with a complete copy of the information obtained pursuant to a background check, credit check or other screening process. A mobile home park owner or operator may not charge an applicant any fee under this subsection unless the mobile home park owner or operator has notified the applicant that the mobile home park owner or operator is required by law to provide the applicant a complete copy of the information obtained pursuant to the background check, credit check or other screening process.

A mobile home park owner or operator may not charge an applicant more than one fee for a background check.