

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

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SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

~~long as the dentist conducts a final check prior to release of the patient;~~

~~OO. Remove excess cement from the supragingival surfaces of teeth;~~

~~PP. Remove orthodontic arch wires and tension devices and any loose bands or bonds, but only as directed by the dentist;~~

~~QQ. Remove sutures;~~

~~RR. Retract lips, cheek, tongue and other tissue parts;~~

~~SS. Select and try in stainless steel or other preformed crowns for insertion by the dentist;~~

~~TT. Smooth and polish amalgam restorations; and~~

~~UU. Take and record the vital signs of blood pressure, pulse and temperature;~~

~~VV. Take and pour Obtain impressions for study casts, athletic mouth guards, custom trays, bleaching trays, fluoride trays, opposing models, retainers and stents;~~

~~WW. Take dental plaque smears for microscopic inspection and patient education;~~

~~XX. Take intraoral measurements and make preliminary selection of arch wires and intraoral and extraoral appliances, including head gear; and~~

~~YY. Take intraoral photographs.~~

Sec. 20. 32 MRSA §18375, sub-§1, ¶K, as enacted by PL 2015, c. 429, §21, is repealed.

Sec. 21. 32 MRSA §18375, sub-§1, ¶L, as enacted by PL 2015, c. 429, §21, is amended to read:

L. Take Obtain impressions for athletic mouth guards and custom fluoride trays;

Sec. 22. 32 MRSA §18376, sub-§1, ¶H, as enacted by PL 2015, c. 429, §21, is repealed.

Sec. 23. 32 MRSA §18376, sub-§1, ¶¶U and FF, as enacted by PL 2015, c. 429, §21, are amended to read:

U. Perform pulp vitality tests pursuant to the direction of a dentist;

FF. Take Obtain impressions for and deliver athletic mouth guards and custom fluoride trays; and

Sec. 24. 32 MRSA §18378, sub-§1, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Take Obtain denture impressions and bite registrations for the purpose of or with a view to the making, producing, reproducing, ~~construction~~ constructing, finishing, supplying, altering or repairing a denture to be fitted to an edentulous or partially edentulous arch or arches;

Sec. 25. Charitable dentist licenses and clinical dentist educator licenses; expiration date. A charitable dentist license and a clinical dentist educator license issued by the Board of Dental Practice and in effect on the effective date of this Act remain in effect and authorize the license holder to practice until the date of expiration specified in the license.

See title page for effective date.

CHAPTER 389

S.P. 703 - L.D. 1858

An Act To Include Security Installations and Upgrades in Maine's School Revolving Renovation Fund

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

Sec. 1. 30-A MRSA §6006-F, sub-§3, ¶A, as amended by PL 2011, c. 153, §1, is further amended to read:

A. To make loans to school administrative units for school repair and renovation.

(1) The following repair and renovation needs receive Priority 1 status:

- (a) Repair or replacement of a roof on a school building;
- (b) Bringing a school building into compliance with the federal Americans with Disabilities Act, 42 United States Code, Section 12101 et seq.;
- (c) Improving air quality in a school building;
- (d) Removing or abating hazardous materials in a school building; and
- (f) Undertaking other health, safety and compliance repairs, including installations or improvements necessary to increase school facility security.

(2) Repairs and improvements related to a school building structure, windows and doors and water or septic systems receive Priority 2 status.

(3) Repairs and improvements related to energy and water conservation receive Priority 3 status.

(4) Upgrades of learning spaces in school buildings receive Priority 4 status.

(5) The Commissioner of Education may approve other necessary repairs;

See title page for effective date.

CHAPTER 390

H.P. 681 - L.D. 968

An Act To Help Prevent Financial Elder Abuse

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

Sec. 1. 9-B MRSA §427, sub-§13, as enacted by PL 1979, c. 540, §13-A, is amended to read:

13. Notice on opening certain accounts. A signature card or other document establishing a multiple-party account, as defined in Title 18-A, section 6-101, ~~shall~~ must contain a clear and conspicuous printed notice to the depositor that on ~~his~~ the depositor's death the balance in the account will belong to the surviving party. At the time a multiple-party account is established or at the time a single-party account is converted to a multiple-party account with a financial institution, the document establishing the account or adding another party must include for each party to the account the question, "Do you intend for the sum remaining upon your death to belong to the surviving party or parties? Yes or No." The question required by this subsection must be answered in writing on the form by each party to the account prior to opening the account. The answer provided on the form required by this subsection does not have any effect on any legal presumption or inference available in any civil or criminal matter.

Sec. 2. 18-A MRSA §6-105, as enacted by PL 1979, c. 540, §1, is amended to read:

§6-105. Effect of written notice to financial institution

The provisions of section 6-104 as to rights of survivorship are determined by the form of the account at the death of a party. This form may be altered by written order given by a party to the financial institution to change the form of the account or to stop or vary payment under the terms of the account. The order or request must be signed by a party, received by the financial institution during the party's lifetime, and not countermanded by other written order of the same party during ~~his~~ the party's lifetime.

At the time a multiple-party account is established or at the time a single-party account is converted to a multiple-party account with a financial institution, the document creating the account or adding another party must include for each party to the account the question, "Do you intend for the sum remaining upon your

death to belong to the surviving party or parties? Yes or No." The question required by this paragraph must be answered in writing on the form by each party to the account prior to opening the account. The answer provided on the form required by this paragraph does not have any effect on any legal presumption or inference available in any civil or criminal matter.

Sec. 3. Application. The requirements of this Act apply to all multiple-party accounts established with a financial institution after January 1, 2019 and to all single-party accounts changed to multiple-party accounts with a financial institution after January 1, 2019.

See title page for effective date.

CHAPTER 391

H.P. 1284 - L.D. 1847

An Act To Amend the State's Electronic Waste Laws

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

Sec. 1. 38 MRSA §1610, sub-§2, as amended by PL 2011, c. 250, §§2 to 4, is further amended to read:

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

~~A. "Computer monitor" means a covered electronic device that is a cathode ray tube or flat panel display primarily intended to display information from a central processing unit or the Internet. "Computer monitor" includes a digital picture frame.~~

B. "Consolidation facility" means a facility where electronic wastes are consolidated and temporarily stored while awaiting shipment of at least a 40-foot trailer full of covered electronic devices to a recycling, treatment or disposal facility. "Consolidation facility" includes a transport vehicle owned or leased by a consolidator and used to collect covered electronic devices at collection sites in this State at a cost no greater than the per pound transportation rate for a full 40-foot trailer as approved by the department for each consolidator pursuant to the rules governing reasonable operational costs adopted under subsection 5, paragraph D, subparagraph (1).

B-1. "Consolidator" means a person that provides consolidation and handling services for electronic wastes and that operates at least one consolidation facility.