LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

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

Augusta, Maine
2025

4. Number of sites in manufactured housing community occupied. The number of sites in the manufactured housing community occupied as of the date of the application, if any;

5. Lot rent. The minimum and maximum lot rent in effect as of the date of the application, if any;

6. Age or income requirements. Age or income requirements for homeowners living in the manufactured housing community;

7. Seasonal. Whether the manufactured housing community is seasonal; and

8. Common expenses. The most common expenses included in the calculation of rent and fees, such as pet fees, vehicle fees, ground maintenance costs, snow removal costs, trash pickup costs, laundry facility costs and the cost of providing additional storage.

Sec. 2. Office of Policy Innovation and the Future to design strategies; report. The Office of Policy Innovation and the Future, established in the Maine Revised Statutes, Title 5, section 3102, shall:

1. Develop a model rent stabilization ordinance for use by municipalities and post the model ordinance on the office's publicly accessible website;

2. Identify barriers to and solutions for building residential dwelling units in vacant lots;

3. Explore opportunities to provide technical and financial support to manufactured housing community homeowners to maintain the affordability of rent and fees within the community;

4. Recommend ways to proactively support manufactured housing community homeowners who seek to form a cooperative or other organization or align with a nonprofit organization to purchase the homeowners' housing community; and

5. Evaluate traditional mortgages as a financing option for manufactured housing community homeowners who wish to purchase their manufactured housing community.

In conducting activities required by this section, the Office of Policy Innovation and the Future may work with other state agencies or interested parties.

By December 31, 2025, the office shall submit a report to the Joint Standing Committee on Housing and Economic Development with the results of the work required in this section. The committee may report out legislation based on the report to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 366

H.P. 1238 - L.D. 1854

An Act to Require the Board of Counseling Professionals Licensure, Board of Dental Practice, Board of Speech, Audiology and Hearing, Board of Occupational Therapy Practice, State Board of Social Worker Licensure, Board of Osteopathic Licensure and Board of Licensure in Medicine to Obtain Fingerprint-based Federal Bureau of Investigation Criminal Background Checks for Initial Applicants and Licensees Seeking Compact Privileges

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

Sec. 1. 25 MRSA §1542-A, sub-§1, ¶CC is enacted to read:

> CC. Who is an applicant for licensure as an occupational therapist or an occupational therapy assistant with the Board of Occupational Therapy Practice, or who is a licensed occupational therapist or a licensed occupational therapy assistant seeking a compact privilege, as required under Title 32, section 2279-A.

Sec. 2. 25 MRSA §1542-A, sub-§1, ¶DD is enacted to read:

> DD. Who is an applicant for licensure as a physician assistant with the Board of Osteopathic Licensure, or who is a licensed physician assistant seeking a compact privilege, as required under Title 32, section 2594-G.

Sec. 3. 25 MRSA §1542-A, sub-§1, ¶EE is enacted to read:

> EE. Who is an applicant for licensure as a physician assistant with the Board of Licensure in Medicine, or who is a licensed physician assistant seeking a compact privilege, as required under Title 32, section 3270-H.

Sec. 4. 25 MRSA §1542-A, sub-§1, ¶FF is enacted to read:

> FF. Who is an applicant for a multistate license with the State Board of Social Worker Licensure, as required under Title 32, section 7052-A.

Sec. 5. 25 MRSA §1542-A, sub-§1, ¶GG is enacted to read:

GG. Who is an applicant for licensure as a clinical professional counselor or a marriage and family therapist with the Board of Counseling Professionals Licensure, or who is a licensed clinical professional counselor or licensed marriage and family therapist seeking a compact privilege, as required under Title 32, section 13858-A.

Sec. 6. 25 MRSA §1542-A, sub-§1, ¶HH is enacted to read:

HH. Who is an applicant for licensure as an audiologist or a speech-language pathologist with the Board of Speech, Audiology and Hearing, or who is a licensed audiologist or licensed speech-language pathologist seeking a compact privilege, as required under Title 32, section 17301-A.

Sec. 7. 25 MRSA §1542-A, sub-§1, ¶II is enacted to read:

II. Who is an applicant for licensure as a dentist or a dental hygienist with the Board of Dental Practice, or who is a licensed dentist or licensed dental hygienist seeking a compact privilege, as required under Title 32, section 18341-A.

Sec. 8. 25 MRSA §1542-A, sub-§3, ¶BB is enacted to read:

BB. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph CC at the request of that person or the Board of Occupational Therapy Practice and upon payment of the fee by that person as required by Title 32, section 2279-A.

Sec. 9. 25 MRSA §1542-A, sub-§3, ¶CC is enacted to read:

CC. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph DD at the request of that person or the Board of Osteopathic Licensure and upon payment of the fee by that person as required by Title 32, section 2594-G.

Sec. 10. 25 MRSA §1542-A, sub-§3, ¶DD is enacted to read:

DD. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph EE at the request of that person or the Board of Licensure in Medicine and upon payment of the fee by that person as required by Title 32, section 3270-H.

Sec. 11. 25 MRSA §1542-A, sub-§3, ¶EE is enacted to read:

EE. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph FF at the request of that person or the State Board of Social Worker Licensure and upon payment of the fee by that person as required by Title 32, section 7052-A.

Sec. 12. 25 MRSA §1542-A, sub-§3, ¶FF is enacted to read:

FF. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph GG at the request of that person or the Board of Counseling Professionals Licensure and upon payment of the fee by that person as required by Title 32, section 13858-A.

Sec. 13. 25 MRSA §1542-A, sub-§3, ¶GG is enacted to read:

GG. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph HH at the request of that person or the Board of Speech, Audiology and Hearing and upon payment of the fee by that person as required by Title 32, section 17301-A.

Sec. 14. 25 MRSA §1542-A, sub-§3, ¶HH is enacted to read:

HH. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph II at the request of that person or the Board of Dental Practice and upon payment of the fee by that person as required by Title 32, section 18341-A.

Sec. 15. 32 MRSA §2279-A is enacted to read:

§2279-A. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as an occupational therapist or an occupational therapy assistant under this chapter. The board shall request a background check for each licensed occupational therapist or licensed occupational therapy assistant who applies for an initial compact privilege and designates this State as the applicant's home state. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for an occupational therapist or occupational therapy assistant license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed occupational therapist or licensed occupational therapy assistant seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Occupational Therapy Compact Commission established under section 2294 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 16. 32 MRSA §2594-G is enacted to read:

§2594-G. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as a physician assistant under this chapter. The board shall request a background check for each licensed physician assistant who applies for an initial compact privilege and designates this State as the applicant's participating state in accordance with chapter 145-A. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for a physician assistant license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed physician assistant seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Physician Assistants Licensure Compact Commission established under section 18537 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 17. 32 MRSA §3270-H is enacted to read:

§3270-H. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as a physician assistant under this chapter. The board shall request a background check for each licensed physician assistant who applies for an initial compact privilege and designates this State as the applicant's participating state in accordance with chapter 145-A. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for a physician assistant license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed physician assistant seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Physician Assistants Licensure Compact Commission established under section 18537 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 18. 32 MRSA §7052-A is enacted to read:

§7052-A. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for a multistate license under subchapter 5. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for a multistate license may be used by the board for the purpose of screening the applicant. A board action against an applicant under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Social Work Licensure Compact commission established under section 7091 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 19. 32 MRSA §13858-A is enacted to read:

§13858-A. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as a clinical professional counselor or a marriage and family therapist under this chapter. The board shall request a background check for each licensed clinical professional counselor or licensed marriage and family therapist who applies for an initial compact privilege and designates this State as the applicant's home state. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for a clinical professional counselor license or a marriage and family therapist license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed clinical professional counselor or a licensed marriage and family therapist seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the counseling compact commission established under section 18560 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 20. 32 MRSA §17301-A is enacted to read:

§17301-A. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as an audiologist or speech-language pathologist under this chapter. The board shall request a background check for each licensed audiologist or licensed speech-language pathologist who applies for an initial compact privilege and designates this State as the applicant's home state. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for an audiologist license or a speech-language pathologist license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed audiologist or licensed speech-language pathologist seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Audiology and Speech-Language Pathology Compact Commission established under section 17508 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 21. 32 MRSA §18341-A is enacted to read:

§18341-A. Criminal history record information; fees

1. Background check. The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement as a dentist or a dental hygienist under this chapter. The board shall request a background check for each licensed dentist or licensed dental hygienist who applies for an initial compact privilege and designates this State as the applicant's home state. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System, established in Title 16, section 631, and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant or licensee shall submit to having fingerprints taken. The Department of Public Safety, Bureau of State Police, upon payment by the applicant or licensee of a fee established by the board, shall take or cause to be taken the applicant's or licensee's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Bureau of State Police for purposes of this paragraph must be paid to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety. Any person who fails to transmit criminal fingerprint records to the State Bureau of Identification pursuant to this paragraph is subject to the provisions of Title 25, section 1550.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant for a dentist license or a dental hygienist license may be used by the board for the purpose of screening the applicant. State and federal criminal history record information of a licensed dentist or licensed dental hygienist seeking an initial compact privilege may be used by the board for the purpose of taking disciplinary action against the licensee. A board action against an applicant for licensure or a licensee under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the dentist and dental hygienist compact commission established under section 18438 or to any other person.

G. An individual whose license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, Bureau of State Police, State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the Department of Public Safety, Bureau of State Police, State Bureau of Identification, may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 367

H.P. 1297 - L.D. 1938

An Act Regarding the Regulation of Tobacco

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

Sec. 1. 10 MRSA §1202, sub-§2, ¶D is amended to read:

D. Sales made by a cigarette distributor to a licensed wholesale dealer ~~or to the operator of 15 or more vending machines shall not be~~ are not subject to a markup of 2% as stated in paragraph C, but such sales ~~shall be~~ are subject to full trade discount only.

Sec. 2. 22 MRSA §1541, sub-§1-A, as enacted by PL 2015, c. 318, §1, is amended to read:

1-A. Electronic smoking device. "Electronic smoking device" means a device used to deliver nicotine or any other substance intended for human consumption that may be used by a person ~~to simulate smoking~~ through inhalation of vapor or aerosol from the device, including, without limitation, a device manufactured, distributed, marketed or sold as an electronic cigarette, electronic cigar, electronic pipe, electronic hookah or so-called vape pen.

Sec. 3. 22 MRSA §1542, sub-§2, ¶H, as enacted by PL 1993, c. 342, §1 and affected by §9, is repealed.

Sec. 4. 22 MRSA §1551-A, sub-§1, as enacted by PL 1995, c. 470, §9 and affected by §19, is amended to read:

1. Retail tobacco license. It is unlawful for any person, partnership or corporation that engages in retail sales~~, including retail sales through vending machines or in free distribution of tobacco products,~~ to sell, keep for sale or give away in the course of trade any tobacco products to anyone without first obtaining a retail tobacco license from the department, in accordance with this chapter. The department may not issue a license under this chapter that permits the retail sale of tobacco products through vending machines.

Sec. 5. 22 MRSA §1552, sub-§3, as amended by PL 2005, c. 145, §1, is further amended to read:

3. Multiple licenses. Except as provided in subsection 3-A, a licensee applying for licenses to operate more than one premises ~~or more than one vending machine~~ shall obtain a separate license for each premises ~~and each machine~~ and shall pay the fee prescribed for each premises ~~and each machine~~.

Sec. 6. 22 MRSA §1552, sub-§3-A, as amended by PL 2009, c. 199, §3, is further amended to read:

3-A. Seasonal mobile tobacco vendor license. An applicant who is a seasonal mobile tobacco vendor may purchase a single annual license authorizing that vendor to operate at 2 or more agricultural fairs, festivals or exhibitions held during the agricultural fair season. A license issued under this subsection must clearly specify the name and location of each fair, festival or exhibition at which the licensee is authorized to operate and, for each location, the specific dates ~~and number of machines~~ for which the licensee is authorized. A licensee may not operate at any agricultural fair, festival or ~~exhibit~~ exhibition except as specifically provided in that license. A seasonal mobile tobacco vendor license expires upon the conclusion of the agricultural fairs, festivals or exhibitions for which it was issued. Upon issuing a license under this subsection, the department shall immediately provide the information required by this subsection to the Office of the Attorney General for purposes of inspection and enforcement.

Sec. 7. 22 MRSA §1553-A, as amended by PL 2017, c. 308, §5, is repealed.

Sec. 8. 22 MRSA §1554-B, sub-§1, as enacted by PL 2003, c. 452, Pt. K, §6 and affected by Pt. X, §2, is amended to read:

1. License required. A person may not engage in retail tobacco sales ~~or in free distribution of tobacco products~~ in the ordinary course of trade in this State without a valid license issued under subchapter 1.

Sec. 9. 22 MRSA §1555-B, sub-§2, as amended by PL 2017, c. 308, §6, is further amended to read:

2. Sales to persons who have not attained 21 years of age prohibited. A person may not sell~~,~~ or furnish, ~~give away~~ or offer to sell~~,~~ or furnish ~~or give away,~~ a tobacco product to any person who has not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018. Tobacco products may not be sold at retail to any person who has not attained 30 years of age unless the seller first verifies that person's age by