

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

Penmor Lithographers

Lewiston, Maine

2006

Initiative: Provides funds to reimburse municipalities 50% of the property tax revenue loss as a result of the exemption for snow grooming equipment registered with the Department of Inland Fisheries and Wildlife.

GENERAL FUND	2005-06	2006-07
All Other	\$0	\$18,565
GENERAL FUND TOTAL	\$0	\$18,565

Sec. 3. Retroactivity. This Act applies retroactively for purposes of determining the taxable status of property on or after April 1, 2006.

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

Effective May 30, 2006.

CHAPTER 653

S.P. 737 - L.D. 1936

An Act To Improve the Oral Health of Maine's Children

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

Sec. 1. 20-A MRSA §6454 is enacted to read:

§6454. Oral health assessments

The commissioner shall cooperate with the Commissioner of Health and Human Services in implementing a grant program developed in accordance with Title 22, section 2128 to increase the provision of oral health assessments for children entering elementary school. A child whose parent objects in writing to an oral health assessment on religious grounds may not be assessed.

Sec. 2. 22 MRSA §2128 is enacted to read:

§2128. Grant program to promote oral health assessments and care for children

The commissioner, in consultation with the Commissioner of Education, shall administer a grant program to promote oral health assessments of children entering elementary school and facilitate the provision of care for those students identified as in need of dental services.

1. Eligibility for grants. A nonprofit organization may apply for a grant by submitting an application as requested by the commissioner to demonstrate that the applicant:

A. Has entered into a memorandum of understanding with a school administrative unit to provide oral health assessments;

B. Is able to provide dental care or secure dental care through an identified dental care provider to a child identified as needing dental care within 6 months of the assessment date; and

C. Has the capacity to record and compile data identified by the commissioner as necessary to monitor and evaluate the grant program.

2. Children served. A recipient of a grant shall contract with a school administrative unit to provide oral health assessments to children entering kindergarten or as soon as practicable upon a child's initial enrollment in an elementary school. A recipient of a grant shall provide assessments and necessary dental services to children who are eligible for MaineCare or members of MaineCare and to children who do not have insurance for dental care.

3. Duties of commissioner. The commissioner, in consultation with the Commissioner of Education, shall develop:

A. A process for reviewing applications and selecting grant recipients;

B. Criteria for prioritizing geographic areas to be served;

C. Standards for oral health assessments conducted under this section, including, but not limited to, the qualifications of the dental professional conducting the assessment and the equipment used and steps included in an assessment;

D. Guidelines for the types of dental disease or abnormality that when detected indicate a need for dental care within 6 months of the assessment date;

E. A prevention and educational component to be incorporated into the assessments; and

F. A program evaluation process and measures for assessing the impact and effectiveness of the grant program.

4. Administration. The commissioner may contract for administration of the grant program or components of the grant program.

5. Fund established. The Maine School Oral Health Fund is established as a dedicated, nonlapsing fund within the department. The commissioner may accept funds from any public or private source for the purposes of awarding grants and administering the grant program under this section.

6. Rulemaking. The commissioner, in consultation with the Commissioner of Education, may adopt rules to implement this section. Rules adopted in accordance with this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. Commissioner of Education and Commissioner of Health and Human Services to convene task force. The Commissioner of Education and the Commissioner of Health and Human Services shall convene a task force to assist in developing the grant program under the Maine Revised Statutes, Title 22, section 2128. The commissioners shall invite representatives of the following to participate in the task force: the Maine Dental Association; the Maine Dental Hygienists' Association; the Maine Association of School Nurses; the Maine School Management Association; the Maine Principals' Association; the Department of Health and Human Services, Office of MaineCare Services; and organizations providing dental services to low-income children.

1. The task force shall recommend a model or models for the provision of dental health assessments in schools or facilitated by school administrative units and a system for referrals when dental disease or abnormality is detected. The model or models must include recommendations for the following: the qualifications needed by the professional conducting the assessments; the equipment to be used in making the assessment; the steps included in an assessment; a prevention and educational component; and measures used to evaluate outcomes.

2. The task force shall advise the Commissioner of Education and the Commissioner of Health and Human Services on the development of the grant program. The task force shall recommend criteria for selecting nonprofit agencies to receive grants and school administrative units to participate.

3. The Commissioner of Education and the Commissioner of Health and Human Services shall report back to the joint standing committee of the Legislature having jurisdiction over education matters no later than February 15, 2007 on the grant program. The report must include a description of the grant program developed under this Act, the number of grants awarded, the geographic areas being served, the number of assessments completed and a summary of dental care provided.

Sec. 4. Transfer. Beginning in fiscal year 2006-07, the State Controller shall transfer \$25,000 annually at the beginning of each fiscal year from General Fund undedicated revenue to the Maine School Oral Health Fund within the Department of Health and Human Services for oral health assess-

ments and dental services to eligible elementary school children.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Maine School Oral Health Fund NEW

Initiative: Allocates funds for a grant program to provide oral health assessments and dental services to eligible elementary school children.

OTHER SPECIAL REVENUE		
FUNDS	2005-06	2006-07
All Other	\$0	\$25,000
OTHER SPECIAL REVENUE		
FUNDS TOTAL	\$0	\$25,000

See title page for effective date.

CHAPTER 654

S.P. 717 - L.D. 1800

An Act To Amend the Fees for Probate Filings

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

Sec. 1. 18-A MRSA §1-602, as amended by PL 2003, c. 383, §1, is further amended to read:

§1-602. Filing and certification fees

The register of probate must receive the following fees for filing or certifying documents:

(1) For making and certifying to the register of deeds copies of devises of real estate, abstracts of petitions for appointment of a personal representative or for an elective share and any other document for which certification is required, ~~\$8 \$15, plus the fee for recording as provided by Title 33, section 751,~~ except as otherwise expressly provided by law. The fee must be paid by the personal representative, petitioner or other person filing the document to be certified when the copy of the devise ~~or abstracts, abstract, petition for elective share or other document for which certification is required~~ is ~~made requested.~~ The register of probate shall deliver the certified document to the register of deeds together with the fee for recording as provided by Title 33, section 751. ~~The personal representative, petitioner, applicant or other person requesting the certification shall pay the recording fee to the register of probate.;~~