

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

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

Penmor Lithographers
Lewiston, Maine
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or account standing on its books to the credit of any person is not effectual to cause that institution to recognize the adverse claimant, unless the adverse claimant either procures a restraining order, injunction or other appropriate process against the institution from a court of competent jurisdiction in a civil action to which the person to whose credit the deposit or account stands is made a party or executes to that institution, in a form and with sureties acceptable to the institution, a bond indemnifying the institution from all liability, loss, damage, costs and expenses for and on account of the payment of such adverse claim or the dishonor of checks or other orders of the person to whose credit the deposit or account stands on the books of the institution.

This subsection does not apply to the creation, perfection or enforcement of a security interest in a deposit or account other than an assignment of a deposit or account in a consumer transaction as defined in Title 11, section 9-1102, subsection 26.

Sec. 2. 14 MRSA §4751, as amended by PL 1985, c. 187, §5, is further amended to read:

§4751. Goods sold on execution

All chattels, real and personal liable at common law to attachment and not exempted therefrom by statute, may be taken and sold on execution as prescribed in this subchapter and subchapter ~~IV~~ 4. Credits of a sole proprietorship doing business under an assumed or trade name, partnership, limited liability company or corporation, other than payroll accounts expressly so designated to the credit holder by the account owner, may be taken on execution by an officer and turned over to the judgment creditor to be applied to the judgment, together with interest and costs.

See title page for effective date.

**CHAPTER 89
S.P. 228 - L.D. 711**

**An Act Regarding Notice That
Must Be Provided by a
Psychiatric Facility Concerning
Certain Patients**

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

Sec. 1. 5 MRSA §19509, sub-§3 is enacted to read:

3. Department. The Department of Health and Human Services shall, within 3 days of receipt, forward to the agency all notices received pursuant to Title 34-B, section 3861, subsection 1, paragraph E.

Sec. 2. 34-B MRSA §3861, sub-§1, ¶E is enacted to read:

E. The chief administrative officer of a nonstate mental health institution shall provide notice to the department and such additional information as may be requested by the department when a person who was involuntarily admitted to the institution has died, attempted suicide or sustained a serious injury resulting in significant impairment of physical condition. For the purposes of this paragraph, "significant impairment" includes serious injuries resulting from burns, lacerations, bone fractures, substantial hematoma and injuries to internal organs whether self-inflicted or inflicted by another person. The notice must be provided within 24 hours of occurrence and must include the name of the person; the name, address and telephone number of that person's legal guardian, conservator or legal representative and parents if that person is a minor; a detailed description of the occurrence and any injuries or impairments sustained; the date and time of the occurrence; the name, street address and telephone number of the facility; and the name and job title of the person providing the notice.

See title page for effective date.

**CHAPTER 90
H.P. 101 - L.D. 109**

**An Act To Require a Model
Radon Standard for New
Residential Construction**

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

Sec. 1. 25 MRSA §2466 is enacted to read:

§2466. Radon standard

1. Maine model radon standard for new residential construction. "Maine model radon standard for new residential construction" means the standard published by the American Society for Testing and Materials designated as E-1465-06 Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

2. Standard or code adoption by municipalities. A municipality may not adopt a radon standard or code for new residential construction other than the Maine model radon standard for new residential construction. Nothing in this section requires a municipality to adopt a radon standard or code for new residential construction.

3. Municipal standards or codes adopted. A radon standard or code for new residential construction adopted by a municipality prior to the effective date of this section is not invalidated by this section, except that if the municipality replaces that standard or