

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
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TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

**CHAPTER 318
H.P. 309 - L.D. 421**

**An Act To Amend the Laws
Concerning Licensure
Qualifications of Independent
Practice Dental Hygienists**

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

Sec. 1. 32 MRSA §1094-K, as enacted by PL 2007, c. 620, Pt. B, §1, is amended to read:

§1094-K. Education and experience

An applicant for licensure under this subchapter as an independent practice dental hygienist must:

1. Bachelor's degree and 2,000 hours experience. Possess a bachelor's degree in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation, or its successor organization, and document ~~one year or~~ 2,000 work hours of clinical practice in a private dental practice or nonprofit dental clinic under direct or general supervision of a dentist during the ~~2-4~~ years preceding application; or

2. Associate degree and 5,000 hours experience. Possess an associate degree in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation, or its successor organization, and document ~~3 years or 6,000~~ 5,000 work hours of clinical practice in a private dental practice or nonprofit dental clinic under direct or general supervision of a dentist during the 6 years preceding application.

See title page for effective date.

**CHAPTER 319
H.P. 936 - L.D. 1332**

**An Act To Continue Coverage
of Oil Clean-up Costs and
Improve Administration of the
Ground Water Oil Clean-up
Fund**

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

Sec. 1. 38 MRSA §562-A, sub-§1-A, as enacted by PL 1993, c. 363, §2 and affected by §21, is amended to read:

1-A. Aboveground oil storage facility. "Aboveground oil storage facility" ~~also referred to as a "facility"~~ means any aboveground oil storage tank or tanks, together with associated piping, transfer and

dispensing facilities located over land or water of the State at a single location for more than 4 months per year and used or intended to be used for the storage or supply of oil. Oil terminal facilities, as defined in section 542, subsection 7 and propane facilities are not included in this definition and are not eligible for coverage by the fund.

Sec. 2. 38 MRSA §562-A, sub-§15-A is enacted to read:

15-A. Oil storage facility or facility. "Oil storage facility" or "facility" means an aboveground oil storage facility or an underground oil storage facility.

Sec. 3. 38 MRSA §562-A, sub-§15-B is enacted to read:

15-B. Operator. "Operator" means a person in control of, or having responsibility for, the daily operation of an oil storage facility.

Sec. 4. 38 MRSA §562-A, sub-§21, as enacted by PL 1989, c. 865, §2, is amended to read:

21. Underground oil storage facility. "Underground oil storage facility;" also referred to as "facility," means any underground oil storage tank or tanks, as defined in subsection 22, together with associated piping and dispensing facilities located under any land at a single location and used, or intended to be used, for the storage or supply of oil, as defined in this subchapter. Underground oil storage facility also includes piping located under any land at a single location associated with above ground storage tanks and containing 10% or more of the facility's overall volume capacity.

Sec. 5. 38 MRSA §564, sub-§2-A, ¶J, as amended by PL 1991, c. 494, §5, is further amended to read:

J. Owners and operators, upon request by the commissioner, to sample their underground oil tanks, to maintain records of all monitoring and sampling results at the facility or the facility owner's place of business and to furnish records of all monitoring and sampling results to the commissioner and to permit the commissioner or the commissioner's representative to inspect and copy those records; ~~and~~

Sec. 6. 38 MRSA §564, sub-§2-A, ¶K, as enacted by PL 1991, c. 66, Pt. B, §5, is amended to read:

K. Owners and operators to permit the commissioner or the commissioner's designated representatives, including contractors, access to all underground oil storage facilities for all purposes connected with administering this subchapter, including, but not limited to, for sampling the contents