

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

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

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**Augusta, Maine**  
**2011**

for a dog residing in the other state is sent to the municipality in which the dog resides or to the agency that is a party to the reciprocity agreement in the state where the dog resides.

See title page for effective date.

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## CHAPTER 65

H.P. 159 - L.D. 182

### Resolve, Directing the Department of Agriculture, Food and Rural Resources To Develop Criteria for Identifying Invasive Terrestrial Plants

**Sec. 1. Identification of invasive terrestrial plants. Resolved:** That, no later than February 1, 2012, the Commissioner of Agriculture, Food and Rural Resources, referred to in this resolve as "the commissioner," shall adopt rules under the Maine Revised Statutes, Title 7, section 2217 establishing criteria by which to evaluate nonnative plant species for inclusion on a list of invasive terrestrial plants. The commissioner may use criteria developed in response to Resolve 2007, chapter 21 and included in a report to the Joint Standing Committee on Agriculture, Conservation and Forestry on February 1, 2008 as the basis for the rules. The rules may include a provision allowing the commissioner to evaluate a cultivar of a species listed or proposed for listing as an invasive terrestrial plant. The commissioner may exclude a cultivar from the list when an evaluation demonstrates that the cultivar does not meet the criteria for inclusion as an invasive terrestrial plant. Rules adopted under this resolve are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this resolve, "invasive terrestrial plant" means any nonnative plant species that has spread or has the potential to spread into native or minimally managed plant habitats in the State and has caused or has the potential to cause economic or environmental harm by developing self-sustaining populations that disrupt or threaten native plant populations in the State; and be it further

**Sec. 2. List of invasive terrestrial plants. Resolved:** That the commissioner shall propose a prioritized list of nonnative plant species to be evaluated using the criteria developed under section 1; and be it further

**Sec. 3. Report to Joint Standing Committee on Agriculture, Conservation and Forestry. Resolved:** That, no later than February 15, 2012, the commissioner shall report to the Joint Standing Committee on Agriculture, Conservation and Forestry on the evaluation criteria established in rule and a list of

plants being considered for evaluation using the criteria adopted under section 1.

See title page for effective date.

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## CHAPTER 66

H.P. 682 - L.D. 922

### Resolve, To Review the Laws Governing Slaughterhouses

**Sec. 1. Examination of laws and rules governing slaughterhouses. Resolved:** That the Department of Agriculture, Food and Rural Resources shall examine the laws and rules governing slaughterhouses with particular emphasis on obstacles that prevent slaughterhouses from processing many different species of animals as efficiently and safely as possible. The department shall report its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2012. The Joint Standing Committee on Agriculture, Conservation and Forestry may submit legislation to the Second Regular Session of the 125th Legislature on the subject matter of the department's report.

See title page for effective date.

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## CHAPTER 67

H.P. 183 - L.D. 230

### Resolve, To Establish a Pilot Project for Independent Practice Dental Hygienists To Process Radiographs in Underserved Areas of the State

**Sec. 1. Pilot project for underserved areas of the State. Resolved:** That the Department of Professional and Financial Regulation, Board of Dental Examiners shall establish a 2-year pilot project to allow a licensed independent practice dental hygienist to expose and process radiographs under protocols developed by the Board of Dental Examiners within areas of the State that have been designated by the United States Department of Health and Human Services as dental health professional shortage areas.

The Board of Dental Examiners shall adopt rules to implement the pilot project under this section. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The rules for the pilot project must require that an independent practice dental hygienist have a written agreement with a licensed dentist providing that the dentist will be available to interpret all dental radiographs within 21 days from the date the radiograph is taken and that

the dentist will sign a radiographic review and findings form.

The Board of Dental Examiners shall provide a report by January 15, 2013 to the joint standing committee of the Legislature having jurisdiction over economic development matters regarding the status of the pilot project and its ability to improve access to dental health services in federally designated dental health professional shortage areas and recommendations for the continuance, discontinuance or modification of the pilot project.

The pilot project terminates March 15, 2014; and be it further

**Sec. 2. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Dental Examiners - Board of 0384**

Initiative: Allocates funds for the costs associated with establishing and administering a 2-year pilot project to allow a licensed independent practice dental hygienist to expose and process radiographs under protocols developed by the Board of Dental Examiners.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$3,700	\$1,200
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,700	\$1,200

See title page for effective date.

**CHAPTER 68  
S.P. 396 - L.D. 1275**

**Resolve, To Promote Greater Transparency and Accountability through Regional Transmission Organization Reform**

**Sec. 1. Policy promoting regional transmission organization transparency and accountability. Resolved:** That the Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall advocate in all appropriate forums for greater transparency of governance and operations and accountability to consumers of the regional transmission organization affecting consumers of electricity in the State; and be it further

**Sec. 2. Conference with other states' agencies and offices. Resolved:** That the Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall confer, to the greatest extent possible, with each other and with comparable commissions or bodies from one or more of the other New England states regarding the transparency and accountability of the regional transmission organization, and shall develop a plan and act to promote governance transparency and accountability to consumers of the regional transmission organization. The Public Utilities Commission, the Governor's Office of Energy Independence and Security and the Office of the Public Advocate shall develop model governance requirements for the regional transmission organization, formally propose such model governance requirements to the comparable commissions or bodies in the other New England states and shall examine whether there is agreement on governance transparency and accountability among the various state entities; and be it further

**Sec. 3. Report. Resolved:** That the Public Utilities Commission shall report the results and recommendations under sections 1 and 2 to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters in its annual report for the years 2011, 2012 and 2013. The committee may submit legislation to the next session of the Legislature based on the report submitted by the commission pursuant to this section.

See title page for effective date.

**CHAPTER 69  
H.P. 1075 - L.D. 1466**

**Resolve, To Direct the Public Utilities Commission To Develop a Plan To Reform Telecommunications Regulation**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** in order to ensure the Public Utilities Commission has adequate time to develop a plan for reforming telecommunications regulation for consideration by the Legislature in the second regular session, it is necessary that this resolve take effect immediately; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-