

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

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

Augusta, Maine
2013

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

Sec. 1. 36 MRSA §191, sub-§2, ¶AA, as amended by PL 2003, c. 668, §9 and affected by §12, is further amended to read:

AA. The disclosure by employees of the bureau to designated representatives of the Finance Authority of Maine necessary for the administration of section 6656, subsection 3 and section 6758, subsection 4 and of information required to ensure that recipients of certain benefits under Title 20-A, chapter 417-E are eligible to receive such benefits;

Sec. 2. 36 MRSA §6656, sub-§3 is enacted to read:

3. Assignment of reimbursement payments. A claimant may assign its right to payments under this chapter to secure a loan from the Finance Authority of Maine, and such an assignment, notwithstanding any contrary provision of law, is a legally valid assignment binding upon the claimant and its successors in interest. Upon notice of such an assignment given to the assessor by the Finance Authority of Maine and written confirmation of such an assignment signed by the claimant, the assessor shall pay to the Finance Authority of Maine any payments due to the claimant pursuant to this chapter and assigned to the Finance Authority of Maine until the Finance Authority of Maine notifies the assessor that the assignment has been released.

Sec. 3. 36 MRSA §6758, sub-§4 is enacted to read:

4. Assignment of payments. A qualified business may assign its right to payments under this chapter to secure a loan from the Finance Authority of Maine, and such an assignment, notwithstanding any contrary provision of law, is a legally valid assignment binding upon the qualified business and its successors in interest. Upon notice of such an assignment given to the assessor by the Finance Authority of Maine and written confirmation of such an assignment signed by the qualified business, the assessor shall pay to the Finance Authority of Maine any payments due to the qualified business pursuant to this chapter and assigned to the Finance Authority of Maine until the Finance Authority of Maine notifies the assessor that the assignment has been released.

See title page for effective date.

CHAPTER 68
S.P. 308 - L.D. 883

An Act Regarding the Sexual Assault Forensic Examiner Advisory Board

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

Sec. 1. 5 MRSA §3360-O, as enacted by PL 2001, c. 439, Pt. Z, §1, is amended by adding at the end a new paragraph to read:

The board may establish prerequisites applicable to persons who wish to participate in sexual assault forensic examiner training and authorize the issuance of certificates to those who complete the training. The process of sexual assault forensic examiner training and issuance of certificates under this section does not constitute a license or licensing action under chapter 375, subchapter 5.

See title page for effective date.

CHAPTER 69
H.P. 303 - L.D. 453

An Act To Prohibit the Sale of Gasoline That Contains Corn-based Ethanol as an Additive at a Level Greater than 10 Percent by Volume

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

Sec. 1. 38 MRSA §585-M is enacted to read:

§585-M. Prohibition on sale of gasoline containing corn-based ethanol

1. Prohibition on sale. A person may not sell or offer for sale gasoline that contains corn-based ethanol as an additive at a level greater than 10% by volume.

2. Effective date. This section does not take effect until at least 2 of the 6 New England states in addition to this State have enacted laws that prohibit the sale of gasoline that contains corn-based ethanol as an additive at a level greater than 10% by volume. The commissioner shall notify the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes when at least 2 New England states in addition to this State have enacted laws that prohibit the sale of gasoline that contains corn-based ethanol at a level greater than

10% by volume. In no event may this section take effect until 90 days after adjournment of the First Regular Session of the 126th Legislature.

See title page for effective date.

CHAPTER 70
H.P. 287 - L.D. 414

**An Act To Restructure the
Licensing and Regulation of
Boilers and Pressure Vessels
and Elevators and Tramways**

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

PART A

Sec. A-1. 5 MRSA §12004-A, sub-§7, as amended by PL 1999, c. 687, Pt. B, §1, is repealed.

Sec. A-2. 5 MRSA §12004-A, sub-§14, as amended by PL 1999, c. 687, Pt. B, §1, is repealed.

PART B

Sec. B-1. 10 MRSA §8001, sub-§38, as amended by PL 2011, c. 286, Pt. B, §1, is further amended to read:

38. Office of Professional and Occupational Regulation. Office of Professional and Occupational Regulation. The Office of Professional and Occupational Regulation is composed of the following:

- A. Board of Accountancy;
- D. Maine State Board for Licensure of Architects, Landscape Architects and Interior Designers;
- F. Board of Licensing of Auctioneers;
- H. Board of Chiropractic Licensure;
- H-1. Board of Complementary Health Care Providers;
- J. Board of Counseling Professionals Licensure;
- K. Board of Licensing of Dietetic Practice;
- L. Electricians' Examining Board;
- M. Board of Licensure of Foresters;
- N. State Board of Funeral Service;
- O. State Board of Certification for Geologists and Soil Scientists;
- Q. Board of Licensure for Professional Land Surveyors;
- R. Manufactured Housing Board;

S. Nursing Home Administrators Licensing Board;

T. Board of Occupational Therapy Practice;

V. Maine Board of Pharmacy;

W. Board of Examiners in Physical Therapy;

Y. Plumbers' Examining Board;

Z. Board of Licensure of Podiatric Medicine;

AA. State Board of Examiners of Psychologists;

BB. Radiologic Technology Board of Examiners;

CC. Board of Real Estate Appraisers;

DD. Board of Respiratory Care Practitioners;

EE. State Board of Social Worker Licensure;

GG. State Board of Alcohol and Drug Counselors;

HH. State Board of Veterinary Medicine;

JJ. Real Estate Commission;

~~KK. Board of Boilers and Pressure Vessels;~~

~~LL. Board of Elevator and Tramway Safety;~~

MM. Board of Speech, Audiology and Hearing; and

NN. Maine Fuel Board.

The Office of Professional and Occupational Regulation also administers the following regulatory functions: licensure of athletic trainers; licensure of massage therapists; licensure of interpreters for the deaf and hard-of-hearing; licensure of persons pursuant to the Charitable Solicitations Act; licensure of transient sellers, including door-to-door home repair transient sellers; ~~and~~ licensure of persons pursuant to the Barbering and Cosmetology Licensure Act; licensure of persons pursuant to the laws governing boiler and pressure vessel safety and elevator and tramway safety; and inspection and certification requirements for boilers, pressure vessels, elevators and tramways pursuant to the laws governing boiler and pressure vessel safety and elevator and tramway safety.

Sec. B-2. 10 MRSA §9725, sub-§6, as enacted by PL 2007, c. 699, §6, is amended to read:

6. Boiler and pressure vessel standards. Boiler and pressure vessel standards adopted pursuant to Title 32, section ~~15104-A~~ 15103-A; and

Sec. B-3. 10 MRSA §9725, sub-§7, as enacted by PL 2007, c. 699, §6, is amended to read:

7. Elevator standards. Elevator standards adopted pursuant to Title 32, section ~~15206~~ 15205-A.

Sec. B-4. 26 MRSA §569, as amended by PL 1995, c. 560, Pt. H, §10 and affected by §17 and