

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

Augusta, Maine
2013

resident of the State to act as chair. In the event of the death, resignation, replacement or disability of the chair, the commission may select, by a majority vote of its ~~12~~ 16 remaining members, a new chair. When the commission is unable to select a chair within 120 days of the death, resignation, replacement or disability, the Governor, after consulting with the chiefs of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Penobscot Nation and the Passamaquoddy Tribe, shall appoint an interim chair for a period of one year or for the period until the commission selects a chair in accordance with this section, whichever is shorter. The chair is a full-voting member of the commission and, except when appointed for an interim term, ~~shall serve~~ serves for 4 years.

Sec. 3. 30 MRSA §6212, sub-§3, as amended by PL 2009, c. 384, Pt. F, §3 and affected by §4, is further amended to read:

3. Responsibilities. In addition to the responsibilities set forth in this Act, the commission shall continually review the effectiveness of this Act and the social, economic and legal relationship between the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation and the State and shall make such reports and recommendations to the Legislature, the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe and the Penobscot Nation as it determines appropriate.

~~Nine~~ Twelve members constitute a quorum of the commission and a decision or action of the commission is not valid unless ~~7~~ 9 members vote in favor of the action or decision.

Sec. 4. 30 MRSA §6212, sub-§6, ¶¶B and C, as enacted by PL 2009, c. 636, Pt. C, §3 and affected by §4, are amended to read:

B. The Passamaquoddy Tribe; ~~and~~

C. The Penobscot Nation; ~~and~~

Sec. 5. 30 MRSA §6212, sub-§6, ¶D is enacted to read:

D. The Aroostook Band of Micmacs.

Sec. 6. Contingent effective date. This Act takes effect October 1, 2013 only if, within 90 days after the adjournment of the First Regular Session of the 126th Legislature, the Secretary of State receives written certification from the Council of the Aroostook Band of Micmacs that the band has agreed to the provisions of this Act, written certification from the Houlton Band Council of the Houlton Band of Maliseet Indians that the band has agreed to the provisions of this Act, written certification from the Joint Tribal Council of the Passamaquoddy Tribe that the tribe has agreed to the provisions of this Act and written certification from the Governor and Council of the Penobscot Nation that the nation has agreed to the provisions

of this Act pursuant to 25 United States Code, Section 1725(e), copies of which must be submitted by the Secretary of State to the Secretary of the Senate, the Clerk of the House and the Revisor of Statutes.

See title page for effective date, unless otherwise indicated.

CHAPTER 82

H.P. 351 - L.D. 532

An Act To Amend the Laws Governing the Maine State Library

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

Sec. 1. 27 MRSA §31, as amended by PL 1973, c. 626, §1, is further amended to read:

§31. Library hours

The State Librarian shall keep the library open at least 35 hours per week. ~~Neither the State Director of Public Improvements nor any of the state employees under his jurisdiction shall admit anyone~~ A person may not be admitted to the library rooms out of library hours or permit take any book to be taken therefrom or other material from the library without the consent of the librarian.

Sec. 2. 27 MRSA §34, sub-§9, as enacted by PL 1989, c. 700, Pt. B, §17, is repealed.

Sec. 3. 27 MRSA §34, sub-§10, as enacted by PL 1989, c. 700, Pt. B, §17, is amended to read:

10. Related activities. Related activities in cooperation with the Maine State Cultural Affairs Council; ~~and~~

Sec. 4. 27 MRSA §34, sub-§11 is enacted to read:

11. Electronic resources and database library. Maintaining and providing an electronic library service as well as a database library for use by elementary and secondary schools.

Sec. 5. 27 MRSA §37, as amended by PL 1973, c. 626, §4, is repealed.

Sec. 6. 27 MRSA §66 is amended to read:

§66. Reports of departments and institutions

The State Librarian shall distribute reports of the departments and institutions of the State and other books and documents published or purchased by the State in such manner as the law may direct. ~~He~~ The State Librarian may transmit one copy of each published report of each department of the State Government to each library in the State and to the libraries of

other states and territories, and make such other and further distribution as in ~~his~~ the State Librarian's judgment seems proper. ~~He~~ The State Librarian shall maintain a document room in which ~~shall~~ must be stored all department reports and other publications of the State intended for distribution and shall keep an accurate account of all books and documents received.

Sec. 7. 27 MRSA §69, as amended by PL 2005, c. 683, Pt. A, §45, is further amended to read:

§69. Purchase of Maine histories

1. Purchase. The State Librarian shall purchase at least ~~25~~ 2 copies, ~~and may purchase up to 200 copies,~~ of every town history or other book concerning the history of this State that is published in Maine. ~~He shall purchase, within these limits, the number of copies required to meet the distribution requirements of subsection 2.~~

2. Distribution. ~~The State Librarian shall retain sufficient copies of each history purchased under subsection 1 for the use of the State Library. The remaining copies shall be distributed without charge to all school, state, institutional and public libraries that request a copy. The State Librarian shall regularly publish and circulate to all these libraries a list of the histories available for distribution.~~

3. Surplus. ~~The State Librarian may sell copies of each history that are not distributed under subsection 2. The State Librarian shall fix the price of sale at the retail price of the history. The Maine State Museum may sell these copies through its museum sales program, except that the proceeds from the sale of these town histories may not be used as required under section 89 A. All proceeds from the sales of these town histories must be used to pay the costs of the distribution required under subsection 2, and any proceeds beyond these costs must be used to meet the costs of purchase under subsection 1.~~

Sec. 8. 27 MRSA §108 is repealed.

Sec. 9. 27 MRSA §116, first ¶, as enacted by PL 1973, c. 626, §6, is amended to read:

Research centers may be designated by the ~~commissioner~~ State Librarian with the advice of the Maine Library Commission.

Sec. 10. 27 MRSA §117, first ¶, as repealed and replaced by PL 1977, c. 125, §5, is amended to read:

The State Librarian, with the advice of the district council, shall appoint a staff member, or contract with an area reference and resource center, to provide district consultant services to one or more districts ~~as determined by the policies established by the commissioner.~~

Sec. 11. 27 MRSA §119, as amended by PL 1989, c. 700, Pt. B, §33, is further amended to read:

§119. Distribution of appropriations

~~The Maine Library Commission~~ State Librarian is authorized to apportion funds appropriated by the Legislature for the support of regional library systems.

Sec. 12. 27 MRSA §121, as amended by PL 2007, c. 67, §5, is further amended to read:

§121. Confidentiality of library records

Records maintained by any public ~~municipal~~ library, ~~as defined in section 110, subsection 10,~~ the Maine State Library, the Law and Legislative Reference Library and libraries of the University of Maine System, Maine Community College System and ~~the~~ Maine Maritime Academy that contain information relating to the identity of a library patron relative to the patron's use of books or other materials at the library are confidential. Those records may only be released with the express written permission of the patron involved or as the result of a court order.

See title page for effective date.

CHAPTER 83

H.P. 372 - L.D. 553

**An Act To Remove the
Statement of Oral Condition as
a Requirement for Denturists
Making Partial Dentures**

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

Sec. 1. 32 MRSA §1100-B, sub-§3, ¶B, as amended by PL 2009, c. 227, §3, is further amended to read:

B. The fitting of a denture to an edentulous or partially edentulous arch or arches, including the making, producing, reproducing, constructing, finishing, supplying, altering and repairing of dentures, without performing alteration to natural or reconstructed tooth structure. ~~Upon the receipt of a written statement of oral condition or oral health certificate as determined by the board by a licensed dentist, a~~ A denturist may ~~complete~~ perform clinical procedures related to the fabrication of a removable tooth-borne partial denture, including cast frameworks; and

See title page for effective date.
