

# 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.**

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**Augusta, Maine**  
**2013**

of extended cable or extended satellite television services;

(7) The sale, to a person engaged in the business of renting furniture or audio media and audio equipment, of furniture, audio media or audio equipment for rental pursuant to a rental-purchase agreement as defined in Title 9-A, section 11-105;

(8) The sale of loaner vehicles to a new vehicle dealer licensed as such pursuant to Title 29-A, section 953;

(9) The sale of automobile repair parts used in the performance of repair services on an automobile pursuant to an extended service contract sold on or after September 20, 2007 that entitles the purchaser to specific benefits in the service of the automobile for a specific duration;

(10) The sale, to a retailer that has been issued a resale certificate pursuant to section 1754-B, subsection 2-B or 2-C, of tangible personal property for resale in the form of tangible personal property, except resale as a casual sale;

(11) The sale, to a retailer that has been issued a resale certificate pursuant to section 1754-B, subsection 2-B or 2-C, of a taxable service for resale, except resale as a casual sale;

(12) The sale, to a retailer that is not required to register under section 1754-B, of tangible personal property for resale outside the State in the form of tangible personal property, except resale as a casual sale;

(13) The sale, to a retailer that is not required to register under section 1754-B, of a taxable service for resale outside the State, except resale as a casual sale;

(14) The sale of repair parts used in the performance of repair services on telecommunications equipment as defined in section 2551, subsection 19 pursuant to an extended service contract that entitles the purchaser to specific benefits in the service of the telecommunications equipment for a specific duration;

(15) The sale of positive airway pressure equipment and supplies for rental for personal use to a person engaged in the business of renting positive airway pressure equipment;

(16) The sale, to a person engaged in the business of renting or leasing motor homes, as defined in Title 29-A, section 101, subsection 40, or camper trailers, of motor homes or camper trailers for rental; or

(17) The sale of truck repair parts used in the performance of repair services on a truck pursuant to an extended service contract that entitles the purchaser to specific benefits in the service of the truck for a specific duration.

**Sec. 2. 36 MRSA §1752, sub-§17-B**, as amended by PL 2011, c. 684, §2 and affected by §3, is further amended to read:

**17-B. Taxable service.** "Taxable service" means the rental of living quarters in a hotel, rooming house or tourist or trailer camp; the transmission and distribution of electricity; the rental or lease of an automobile, a camper trailer, or a motor home, as defined in Title 29-A, section 101, subsection 40; the rental or lease of a pickup truck or van with a gross vehicle weight of less than 26,000 pounds from a person primarily engaged in the business of renting automobiles; the sale of an extended service contract on an automobile or truck that entitles the purchaser to specific benefits in the service of the automobile or truck for a specific duration; and the sale of prepaid calling service.

**Sec. 3. 36 MRSA §1752, sub-§20-B** is enacted to read:

**20-B. Truck.** "Truck" means a self-propelled motor vehicle with at least 4 wheels designed and used primarily to carry property, not designed to run on tracks and having a gross vehicle weight rating greater than 10,000 pounds. A truck may be used to tow trailers or semitrailers.

See title page for effective date.

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## CHAPTER 157

### S.P. 326 - L.D. 948

#### An Act To Promote the Installation of Masonry Stoves

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

**Sec. 1. 35-A MRSA §10153, sub-§8**, as amended by PL 2009, c. 591, §1, is amended to read:

**8. Renewable energy installation.** "Renewable energy installation" means a fixture, product, system, device or interacting group of devices installed behind the meter at a qualifying property, or on contiguous property under common ownership, that produces energy or heat from renewable sources, including, but not limited to, photovoltaic systems, solar thermal systems, biomass systems including but not limited to masonry stoves and wood pellet systems, landfill gas to energy systems, geothermal systems, wind systems; ~~wood pellet systems~~ and any other systems eligible for

funding under federal Qualified Energy Conservation Bonds or federal Clean Renewable Energy Bonds.

See title page for effective date.

## CHAPTER 158

### S.P. 561 - L.D. 1500

#### An Act Regarding the Cost of Copies of Medical Records

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

**Sec. 1. 22 MRSA §1711, 5th ¶**, as amended by PL 2013, c. 32, §1, is further amended to read:

Reasonable costs incurred by the hospital in making and providing paper copies of medical records and additions to medical records ~~must be borne by~~ may be assessed as charges to the requesting person and the hospital may require payment prior to responding to the request. The charge for paper copies of records may not exceed \$5 for the first page and ~~35¢~~ 45¢ for each additional page, up to a maximum of \$250 for the entire medical record.

**Sec. 2. 22 MRSA §1711**, as amended by PL 2013, c. 32, §1, is further amended by adding after the 5th paragraph a new paragraph to read:

If a medical record exists in a digital or electronic format, the hospital shall provide an electronic copy of the medical record if an electronic copy is requested and it is reasonably possible to provide it. The hospital may assess as charges reasonable actual costs of staff time to create or copy the medical record and the costs of necessary supplies and postage. Actual costs may not include a retrieval fee or the costs of new technology, maintenance of the electronic record system, data access or storage infrastructure. Charges assessed under this paragraph may not exceed \$150.

**Sec. 3. 22 MRSA §1711-A**, as amended by PL 2013, c. 32, §2, is further amended to read:

#### §1711-A. Fees charged for records

Whenever a health care practitioner defined in section 1711-B furnishes in paper form requested copies of a patient's treatment record or a medical report or an addition to a treatment record or medical report to the patient or the patient's authorized representative, the charge for the copies or the report may not exceed the reasonable costs incurred by the health care practitioner in making and providing the copies or the report. The charge for the copies of records or the report may not exceed \$5 for the first page and ~~35¢~~ 45¢ for each additional page, up to a maximum of \$250 for the entire treatment record or medical report.

If a treatment record or medical report exists in a digital or electronic format, the health care practitioner shall provide an electronic copy of the treatment record or medical report if an electronic copy is requested and it is reasonably possible to provide it. The health care practitioner may assess as charges reasonable actual costs of staff time to create or copy the treatment record or medical report and the costs of necessary supplies and postage. Actual costs may not include a retrieval fee or the costs of new technology, maintenance of the electronic record system, data access or storage infrastructure. Charges assessed under this paragraph may not exceed \$150.

See title page for effective date.

## CHAPTER 159

### H.P. 603 - L.D. 852

#### An Act To Amend Certain Provisions of Law Affecting the Judicial Branch

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

**Sec. 1. 4 MRSA §17-A**, as enacted by PL 1993, c. 172, §1, is amended to read:

#### §17-A. Publications and technology

**1. Informational publications.** The State Court Administrator may establish a fee schedule to cover the cost of printing and distribution of publications and forms and the procedures for the sale of these publications and forms.

**2. Fund; fees deposited.** All fees collected under this section from the sale of publications or forms must be deposited in a fund for use by the State Court Administrator to ~~replace and update publications and forms and to fund new publications, forms and information technology.~~

**Sec. 2. 4 MRSA §153, first ¶**, as amended by PL 2005, c. 397, Pt. C, §4 and affected by §8, is further amended to read:

The State is divided into ~~28~~ judicial divisions, named and defined as follows, and with places for holding court in those divisions as follows:

**Sec. 3. 4 MRSA §153, sub-§19** is repealed.

**Sec. 4. 4 MRSA §153, sub-§19-A** is enacted to read:

**19-A. Northern and Central Penobscot.** Northern and Central Penobscot consists of the municipalities and unorganized territory of Hopkins Academy Grant Township, Long A Township, Medway, TA R7 WELS, Burlington, Edinburg, Lakeville, Lagrange, Lowell, Passadumkeag, Twombly, Puka-