

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

Sec. 9. Repeal. Resolved: That this resolve is repealed ~~5 years after its effective date~~ June 30, 2018.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 3, 2013.

CHAPTER 36

S.P. 85 - L.D. 249

Resolve, Directing the Board of Dental Examiners To Amend Its Rules To Improve Access to Oral Health Care in Maine

Sec. 1. Board of Dental Examiners to amend rules. Resolved: That the Board of Dental Examiners shall amend its rules to permit a dental student of a bona fide dental school or university acceptable to the board, after the completion of satisfactory training, to perform limited dental service in institutional and public health service programs and in private dental offices within the State, commensurate with the student's level of training, under the supervision and control of a licensed dentist or a teaching school; and be it further

Sec. 2. Report. Resolved: That the Board of Dental Examiners shall submit a report by January 15, 2014 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on how the dental services performed by dental students under section 1 will increase access to dental care in the underserved areas of the State, the number of private dental offices that will be participating and how patients will be screened for treatment by dental students in private dental offices. The Joint Standing Committee on Labor, Commerce, Research and Economic Development is authorized to submit a bill related to this report to the Second Regular Session of the 126th Legislature.

See title page for effective date.

CHAPTER 37

H.P. 560 - L.D. 809

Resolve, Directing the Secretary of State To Study the Need for a State Regulatory Process for Scrap Metal Dealers

Sec. 1. Secretary of State directed to study the need for a state regulatory process for scrap metal dealers. Resolved: That the Secre-

tary of State shall study the need for state regulation of scrap metal dealers and review the advantages and disadvantages of pursuing a state license, permit or registration process for scrap metal dealers. The Secretary of State shall invite participation from stakeholders in the scrap metal industry and law enforcement and other interested parties in order to identify the most effective system for statewide regulation and the enforcement of laws relating to scrap metal dealers and scrap metal thefts; and be it further

Sec. 2. Report. Resolved: That the Secretary of State shall submit a report on the study described in section 1 and any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 30, 2014. The committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature related to the subject matter of the report.

See title page for effective date.

CHAPTER 38

H.P. 138 - L.D. 178

Resolve, To Provide Consistency in Rules of the Department of Education Regarding Visual and Performing Arts Requirements for High School Graduation

Sec. 1. Rules. Resolved: That the Department of Education shall amend its rules to provide that high school graduation requirements in the area of visual and performing arts may be met by completion of a credit in dance, music, theater, forensics or visual arts. The department shall determine the extent to which high school graduation requirements in the area of visual and performing arts may be met by the study of forensics, which may include, but is not limited to, the separate or integrated study of the art of public speaking, the art of formal debate and the interpretive performance of literature as they relate to the area of visual and performing arts.

See title page for effective date.

CHAPTER 39

H.P. 599 - L.D. 848

Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to 3rd-party Notice of Cancellation

Sec. 1. Bureau of Insurance to amend rules regarding 3rd-party notice of cancellation. Resolved: That the Department of Professional and Financial Regulation, Bureau of Insurance shall amend Bureau of Insurance Rule Chapter 580 to provide for a 3rd alternative method of satisfying 3rd-party notice requirements. This 3rd alternative must provide that when an insured pays the premium for a policy through a payroll deduction plan, any requirement for an insurer to collect 3rd-party notification information may be deferred until 60 days after the insured is no longer on the payroll plan. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 40

S.P. 176 - L.D. 444

Resolve, Directing the Workers' Compensation Board To Study Improving Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Payments

Sec. 1. Workers' Compensation Board to study and report. Resolved: That the Workers' Compensation Board shall conduct a study on the issue of improving protections for injured workers whose employers have wrongfully not secured workers' compensation payments, including the prevalence of the problem and potential funding sources to address the problem, and report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 30, 2014 with recommendations and draft implementing legislation to address this problem; and be it further

Sec. 2. Authority to report out legislation. Resolved: That the Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill to the Second Regular Session of the 126th Legislature related to the report of the Workers' Compensation Board submitted pursuant to section 1.

See title page for effective date.

CHAPTER 41

S.P. 330 - L.D. 985

Resolve, To Repeal the Requirement That the Department of Transportation Facilitate a Feasibility Study of an East-west Highway and Provide for Public Access to Certain Documents

Sec. 1. Resolve 2011, c. 147, repealed. Resolved: That Resolve 2011, c. 147 is repealed; and be it further

Sec. 2. Confidentiality of east-west highway documents. Resolved: That, notwithstanding any law to the contrary, all documents, including, but not limited to, e-mails, attachments, letters, contracts, reports, records, notes, summaries, working papers, plans, interoffice and intraoffice memoranda and drafts or any other materials created, received or transmitted by the Department of Transportation in connection with Resolve 2011, chapter 147 are not confidential and are subject to public review; and be it further

Sec. 3. Reimbursement for cost of analysis. Resolved: That the Department of Transportation may not seek nor receive reimbursement for any cost-analysis or feasibility study conducted by a private entity pursuant to Resolve 2011, chapter 147 prior to the effective date of this section.

See title page for effective date.

CHAPTER 42

H.P. 465 - L.D. 673

Resolve, To Increase Awareness of Food Allergies in Public Schools

Sec. 1. Food allergy awareness. Resolved: That the Department of Education shall seek to increase awareness of the seriousness of student food allergies, the resources that are available to help schools identify, address and respond to food allergies, including training for teachers, best practices and the applicable laws. The department shall seek input from school nurses and other appropriate school personnel as well as others with relevant knowledge or expertise in developing effective means of disseminating useful information, increasing awareness and ensuring timely and appropriate responses to student food allergies.

See title page for effective date.