

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2014 to July 16, 2015

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 15, 2015

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

Augusta, Maine
2015

Sec. 9. 7 MRSA §766, sub-§1, as amended by PL 2011, c. 607, §2, is further amended to read:

1. By registrants. On or before September 1st in each year each registrant shall file with the commissioner, on forms prescribed by the commissioner, the number of tons of each agricultural liming material sold during the 12 months preceding July 1st of that year. ~~A fee of \$1 per ton sold during the 12 months preceding July 1st of that year must accompany the form.~~

See title page for effective date.

CHAPTER 192

S.P. 349 - L.D. 1009

An Act To Benefit the Education of Denturism Students

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

Sec. 1. 32 MRSA §1100-E-2 is enacted to read:

§1100-E-2. Permits for externship

The board may issue a permit to a bona fide denturist student of a school acceptable to the board to allow that student, after the completion of satisfactory training, to perform, commensurate with the student's level of training and under the supervision of a licensed dentist or denturist or instructional facility acceptable to the board, limited denturist services in private practice or institutional and public health service programs within the State if the student presents satisfactory proof of academic affiliation and good academic standing and the board determines that the student has not violated this chapter or the rules of the board.

The board, prior to the issuance of a permit under this section, shall determine that the supervision and control of the services to be performed by the student are adequate and that the performance of these services by the student adds to the student's knowledge and skill in the practice of denturism. A permit issued under this section is valid for one year from the date of issuance and may be renewed one time only for the purpose of completing supervised training experience. The board shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

For the purposes of this section, "denturist services" means services provided through the practice of denturism.

See title page for effective date.

CHAPTER 193

S.P. 442 - L.D. 1237

An Act Regarding the Filing of Death and Marriage Records

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

Sec. 1. 19-A MRSA §660 is enacted to read:

§660. Late-filed application for certificate of marriage

1. Application. The parties, or the legal representatives of the parties, to a marriage that occurred more than one year previously may apply for a certificate of marriage under this section by submitting to the State Registrar of Vital Statistics the following:

A. The license and certification statement completed in accordance with section 656;

B. The required filing fee; and

C. An application for a certificate of marriage, which must include, if available, a copy of the marriage intentions obtained from the clerk of the municipality where the intentions were filed and other documents specified in rules adopted by the State Registrar of Vital Statistics.

2. Indication of date of filing. The certificate of marriage issued under this section must be marked "delayed" and must indicate the date that the certificate of marriage was filed.

3. Rules. The State Registrar of Vital Statistics shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. 22 MRSA §2848 is enacted to read:

§2848. Registering a presumed death

When a death is presumed to have occurred in the State but the body has not been located, the State Registrar of Vital Statistics shall register a death in accordance with this section upon receipt of a certified copy of an order of a court issued in accordance with Title 18-A, section 1-107, subsection (3).

1. Required information. In order to register a death on the basis of a court order, the court order must include:

A. The decedent's full legal name;

B. The date of death, as determined from the evidence presented;

C. The municipality, county and place of death, as determined from the evidence presented;

D. The decedent's address, including street address, municipality, county, state and zip code at the time of death;

E. The decedent's marital status at the time of death;

F. The given name of the decedent's surviving spouse, if any; and

G. If known, information necessary to complete the medical certification including the cause and manner of death. If the death occurred from an injury, the court order must include information on how and when the injury occurred. If such information is not known, the order must indicate the lack of available information.

2. Death certificate; identification of court order. A death certificate issued pursuant to this section must identify the court that issued the order on which the death certificate is based and include the date of the court order.

3. Record marked "presumptive." The record of a death registered pursuant to this section must be marked "presumptive."

See title page for effective date.

CHAPTER 194

S.P. 443 - L.D. 1238

An Act To Allow the Release of Child Protective Records to Certain Providers of Child and Adult Services

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

Sec. 1. 22 MRSA §4008, sub-§2, ¶J, as amended by PL 2007, c. 140, §6, is further amended to read:

J. A person making a report of suspected abuse or neglect. The department may only disclose that it has not accepted the report for investigation, unless other disclosure provisions of this section apply; ~~and~~

Sec. 2. 22 MRSA §4008, sub-§2, ¶K, as enacted by PL 2007, c. 140, §7 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

K. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pur-

suant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B; ~~and~~

Sec. 3. 22 MRSA §4008, sub-§2, ¶L is enacted to read:

L. A person, organization, employer or agency for the purpose of carrying out background or employment-related screening of an individual who is or may be engaged in:

(1) Child-related activities or employment; or

(2) Activities or employment relating to adults with intellectual disabilities, autism, related conditions as set out in 42 Code of Federal Regulations, Section 435.1010 or acquired brain injury.

Sec. 4. 22 MRSA §4008, sub-§6, as enacted by PL 2003, c. 673, Pt. W, §1, is amended to read:

6. Disclosing information; establishment of fees; rules. The department may ~~accept requests and charge fees for research searching and disclosure of~~ disclosing information in its records as provided in this subsection.

A. The department may charge fees for the services listed in paragraph B to any person except the following:

(1) A parent in a child protection proceeding, an attorney who represents a parent in a child protection proceeding or a guardian ad litem in a child protection proceeding when the parent, attorney or guardian ad litem requests the service for the purposes of the child protection proceeding;

(2) An adoptive parent or prospective adoptive parent who requests information in the department's records relating to the child who has been or might be adopted;

(3) A person having the legal authorization to evaluate or treat a child, parent or custodian who is the subject of a record, including a member of a treatment team or group convened to plan for or treat a child or family that is the subject of a record; the information in the record must be requested for the purpose of evaluating or treating the child, parent or custodian who is the subject of the record;

(4) Governmental entities of this State that are not engaged in licensing; and

(5) Governmental entities of any county or municipality of this State that are not engaged in licensing.