

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2016 to August 2, 2017**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**NOVEMBER 1, 2017**

**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**  
**2017**

**CHAPTER 138**  
**H.P. 324 - L.D. 457**

**An Act To Repeal the Sunset  
Date on the Children's  
Guardians Ad Litem Law**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the laws implementing necessary reforms to the procedures for appointment, qualification and oversight of children's guardians ad litem are scheduled to be repealed on October 1, 2017, and that date will likely pass before the 90-day period expires; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 4 MRSA §1558,** as enacted by PL 2013, c. 406, §1, is repealed.

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

Effective June 7, 2017.

**CHAPTER 139**  
**H.P. 763 - L.D. 1085**

**An Act To Amend the  
Requirements for Licensure as  
an Independent Practice  
Dental Hygienist**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** Maine is experiencing a critical shortage of licensed dentists, especially in rural areas of the State; and

**Whereas,** this legislation removes a statutory barrier that currently prevents or delays certain dental hygienists from obtaining authority to open independent practices in this State; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 32 MRSA §18345, sub-§2, ¶A,** as enacted by PL 2015, c. 429, §21, is amended to read:

A. For independent practice dental hygienist authority: verification of 2,000 work hours of clinical practice.

~~(1) If the applicant has a bachelor's degree or higher in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, verification of 2,000 work hours of clinical practice during the 4 years preceding the application; or~~

~~(2) If the applicant has an associate degree in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, verification of 5,000 work hours of clinical practice during the 6 years preceding the application.~~

For purposes of meeting the clinical practice requirements of this paragraph, the applicant's hours in a private dental practice or nonprofit setting under the supervision of a dentist may be included as well as the applicant's hours as a public health dental hygienist or, prior to ~~the effective date of this Act~~ July 29, 2016, as a dental hygienist with public health supervision status;

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

Effective June 7, 2017.

**CHAPTER 140**  
**H.P. 43 - L.D. 56**

**An Act To Include 50 Milliliter  
and Smaller Liquor Bottles in  
the Laws Governing  
Returnable Containers**

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

**Sec. 1. 38 MRSA §3103, sub-§4,** as enacted by PL 2015, c. 166, §14, is amended to read:

**4. Wine and spirits containers.** For wine and spirits containers of 50 milliliters or less, the refund