

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.

Augusta, Maine
2017

A. Giving noncash items of minimal value that will directly benefit the practitioner's patients, including:

- (1) Prescription drug samples for distribution to patients;
- (2) Educational materials; and
- (3) Modest meals and refreshments, as defined by the board by rule pursuant to section 13720, provided to a practitioner in connection with a meeting or presentation about the benefits, risks and appropriate uses of prescription drugs or medical devices, disease states or other scientific information, as long as the meeting or presentation occurs in a venue and manner conducive to informational communication;

B. Giving funding to academic institutions and residency and fellowship programs to support the participation of medical, nursing, physician assistant, veterinarian and pharmacy students, residents and fellows in professional meetings, including educational meetings, as long as the program identifies such funding recipients based on independent institutional criteria and the funds are distributed to recipients without specific attribution to sponsors; or

C. Giving reasonable honoraria to a practitioner and making payment of the reasonable expenses, as defined by the board by rule pursuant to section 13720, of a practitioner at a professional or educational conference or meeting.

Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 268

H.P. 705 - L.D. 1004

An Act To Increase Reporting on Wage and Hour Violations

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

Sec. 1. 26 MRSA §673 is enacted to read:

§673. Report

1. Annual report. The Department of Labor shall provide a written report to the joint standing committee of the Legislature having jurisdiction over labor matters no later than February 15th of each year. The report must include the following specific information regarding complaints received by the department regarding each violation of the wage and hour

laws under this chapter for which the department has taken final action:

- A. Industry;
- B. Fines sought by the department;
- C. Fines collected by the department; and
- D. Length of time between the filing of the complaint and final resolution.

The report must also provide, in regard to violations of the wage and hour laws under this chapter, annual aggregate data on the number of complaints filed, number of resolutions of complaints and total amount of fines collected.

The report required by this subsection need not include information already provided to the committee in another report required by law that is issued to the committee in the same calendar year.

See title page for effective date.

CHAPTER 269

H.P. 929 - L.D. 1335

An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators

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

Sec. 1. 20-A MRSA c. 223, sub-c. 10 is enacted to read:

SUBCHAPTER 10

YOUTH MENTAL HEALTH FIRST AID TRAINING

§6671. Youth mental health first aid training

A school administrative unit shall establish a youth mental health first aid training program for health educators in secondary schools in the unit pursuant to this section.

1. Recipients of training. A school administrative unit shall schedule training for and ensure training is provided to health educators in secondary schools in the unit responsible for implementing health education pursuant to section 4723.

2. Providers of training. A school administrative unit shall ensure training is delivered by trainers who are properly certified by a national organization for behavioral health to provide training pursuant to subsection 3.

3. Content of training. The training provided pursuant to this section must be in compliance with a

course of instruction in youth mental health first aid operated by the national organization for behavioral health under subsection 2 and include training on the skills, resources and knowledge necessary to assist students in crisis to connect with appropriate local mental health care services, training on mental health resources, including the location of local community mental health centers, and training on action plans and protocols for referral to such resources. Recipients of the training must also receive training to:

- A. Safely de-escalate crisis situations;
- B. Recognize the signs and symptoms of mental illness, including such psychiatric conditions as schizophrenia, bipolar disorder, major clinical depression and anxiety disorders; and
- C. Timely refer students to mental health services in the early stages of their development of mental disorders to avoid subsequent behavioral health care and to enhance the effectiveness of mental health services.

4. Available funding. A school administrative unit is required to meet the requirements of this section only if it has received funding specifically for this purpose from federal funding, private funding or other funding sources.

See title page for effective date.

CHAPTER 270

H.P. 939 - L.D. 1349

An Act Regarding the Licensure of Appraisal Management Companies

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

Sec. 1. 32 MRSA c. 124-A is enacted to read:

CHAPTER 124-A

APPRAISAL MANAGEMENT COMPANY LICENSING

§14041. Short title

This chapter may be known and cited as "the Appraisal Management Company Licensing Act."

§14042. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Appraisal. "Appraisal" has the same meaning as in section 14002, subsection 1.

2. Appraisal assignment. "Appraisal assignment" means an agreement between an appraiser and

an appraisal management company to provide an appraisal service. "Appraisal assignment" does not include an appraisal review or quality control examination.

3. Appraisal management company. "Appraisal management company" means a person that:

A. Provides appraisal management services to creditors or secondary mortgage market participants with appraisers who are part of an appraiser panel that includes more than 15 appraisers who are independent contractors;

B. Provides appraisal management services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations; and

C. Within a calendar year or a 12-month period established by board rule, oversees an appraiser panel of more than 15 certified or licensed appraisers in one state or 25 or more certified or licensed appraisers in more than one state.

"Appraisal management company" does not include a department or division of an entity that provides appraisal management services only to that entity.

4. Appraisal management service. "Appraisal management service" means:

A. Recruiting, selecting and retaining appraisers;

B. Contracting with appraisers to perform appraisal assignments;

C. Managing the process of having an appraisal performed, including, but not limited to:

(1) Providing administrative services;

(2) Receiving appraisal orders and appraisal reports;

(3) Submitting completed appraisal reports to creditors and secondary market participants;

(4) Collecting fees from creditors and secondary market participants for services provided; and

(5) Paying appraisers for services performed; and

D. Reviewing and verifying the work of appraisers.

5. Appraisal review. "Appraisal review" means the act or process of developing and communicating an opinion about the quality of the work performed by an appraiser as part of an appraisal assignment, which may take into account the appraiser's data collection, analysis, opinions, conclusions, estimate of value or compliance with the Uniform Standards of Profes-