

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**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**  
**2019**

manently covered within 30 days of receipt of the notice. If the lead-based substances can not be removed, replaced or securely and permanently covered within 30 days, the department may grant an extension of reasonable time. All lead-based paint activities must be performed in accordance with rules adopted by the Department of Environmental Protection pursuant to Title 38, chapter 12-B. In the case of an owner-occupied, single-family residence, the department may provide technical assistance and guidance in lieu of enforcement activity at the department's discretion; ~~and~~

**Sec. 3. 22 MRSA §1321, sub-§4**, as amended by PL 2005, c. 530, §4, is further amended to read:

**4. Sale of dwelling, residential facility, child-occupied facility or nursery school.** If, before the end of the 30-day period or extension, the owner sells the dwelling, premises, child care facility, premises of the family child care provider, residential child-occupied facility or nursery school, the owner shall notify the prospective buyer of the environmental lead hazard and the new owner must assume the responsibility of carrying out the requirements of this section within the specified time period; and

**Sec. 4. 22 MRSA §1321, sub-§7** is enacted to read:

**7. Notice filed in registry of deeds.** The department shall file in the registry of deeds in the county in which the property is located a notice of an order issued pursuant to subsection 3 that the lead-based substances be removed, replaced or securely and permanently covered. When the department determines that the property owner has complied with the order, the department shall file a notice in the registry of deeds in the county in which the property is located stating that the property owner has complied with the order. A notice filed pursuant to this subsection must contain:

- A. The name of the property owner;
- B. The book and page in the registry of the property owner's deed; and
- C. A notarized signature of the person from the department filing the notice.

A notice stating that the property owner has complied with the order must also contain the book and page of the original order. The department shall adopt rules to implement this subsection, including, but not limited to, rules establishing the form of the notice to be filed in the registry of deeds. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 101 H.P. 500 - L.D. 679

### An Act Regarding the Licensing of Funeral Practitioners

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

**Sec. 1. 32 MRSA §1501-B**, as enacted by PL 2015, c. 246, §1, is repealed.

**Sec. 2. 32 MRSA §1501-C** is enacted to read:  
**§1501-C. Licensing of out-of-state licensees**

**1. Issuance of licenses.** The board may issue a license to an applicant who holds an active and unrestricted license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements under this chapter and board rules, as long as the licensee has not been subjected to disciplinary action under that license.

**2. Rulemaking.** The board shall adopt rules to implement and administer the provisions of this section, including rules that define substantially similar license requirements. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 3. 32 MRSA §1506, sub-§§2 and 3**, as enacted by PL 1991, c. 117, §1, are amended to read:

**2. Requirements.** As a prerequisite to renewal on or after January 1, 1993 of any license subject to this subchapter, licensees must A licensee shall complete 12 hours of continuing education within 2 years prior to the date of renewal in programs or courses approved by the board. The board may, for good cause shown, grant an extension of time to any person to allow that person to comply with this subchapter. No more than 6 of the 12 hours may be completed through online or distance learning programs.

**3. Program approval.** Each application for approval of a continuing education program must be submitted according to the guidelines prescribed by the board. The board may establish by rule criteria for the review and approval of courses and for the determination of the number of continuing education hours to be credited for completion of each course or program.

See title page for effective date.