

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

2-B. Liability. When a municipal police officer makes an arrest, as authorized in subsection 2-A or subsection 4, outside of jurisdictional limits of the municipality in which the police officer is appointed, that police officer has the same immunity from tort liability and all of the pension, relief, disability, ~~worker's~~ workers' compensation, insurance and any other benefits the police officer enjoys while performing duties within the police officer's appointing municipality.

Sec. 2. 30-A MRSA §2671, sub-§4 is enacted to read:

4. Multijurisdictional crimes. If there is probable cause to believe that more than one theft, forgery or negotiation of a worthless instrument committed pursuant to one scheme or course of conduct by the same or several persons has occurred in more than one municipal jurisdiction, a police officer in a municipality in which at least one of the thefts, forgeries or negotiations of worthless instruments was committed may investigate and assist in the prosecution of all the related thefts, forgeries or negotiations of worthless instruments, with the express authorization of the police officer's municipal officers.

See title page for effective date.

CHAPTER 321

H.P. 806 - L.D. 1163

An Act To Amend the Laws Regulating Custom Vehicles

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

Sec. 1. 29-A MRSA §101, sub-§19-A is enacted to read:

19-A. Custom vehicle. "Custom vehicle" means a motor vehicle that is at least 30 years old and of a model year after 1948 or a motor vehicle that was manufactured to resemble a motor vehicle that is at least 30 years old and of a model year after 1948 and that has been altered from the manufacturer's original design or has a body constructed from nonoriginal material.

Sec. 2. 29-A MRSA §457, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Antique vehicle registration plates authorized. The Secretary of State may issue registration plates for antique autos, custom vehicles, horseless carriages, street rods or antique motorcycles. These plates must bear the inscription "Maine" and the

inscription "Antique Auto," "Custom Vehicle," "Horseless Carriage" or "Street Rod" or, for antique motorcycles, the inscription "Antique."

Sec. 3. 29-A MRSA §457, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Application. An application for registration of a vehicle under this section must be accompanied by an affidavit that includes a statement ~~of~~ indicating the age and intended use year and make of the motor vehicle and that the vehicle is garaged or maintained in the State. ~~A person registering a street rod must furnish verification that the vehicle is a qualified street rod.~~

Sec. 4. 29-A MRSA §458-B is enacted to read:

§458-B. Custom vehicles

A custom vehicle may be registered in accordance with the provisions of this section.

1. Registration fee. The fee for the custom vehicle registration plate is the regular motor vehicle registration fee required by section 501 and the excise tax required by Title 36, section 1482.

2. Registration plates. The Secretary of State shall issue a registration certificate and a set of custom vehicle registration plates in a 3-number and 3-letter combination sequence to be used in lieu of regular registration plates.

3. Application. An application for registration of a vehicle under this section must be accompanied by an affidavit that includes a statement indicating the year and make that the body of the custom vehicle resembles and that the vehicle is garaged or maintained in the State.

4. Registration. The registration must indicate the year and make that the body of the custom vehicle resembles and must indicate the vehicle has been modified.

5. Vanity plates. The Secretary of State may issue vanity plates in accordance with section 453 and may not duplicate vanity plates issued in another class of plate.

6. Weight limit. A custom vehicle registration plate may be issued for a motor vehicle that does not exceed 6,000 pounds.

7. Inspection. A custom vehicle is subject to the inspection requirements of section 1751.

Sec. 5. Custom vehicle inspection committee. The Chief of the State Police shall convene a

committee composed of no more than 15 members representing the custom vehicle and street rod industry to provide advice and technical assistance to the State Police regarding custom vehicles and recommendations on potential inspection standards and procedures. The Chief of the State Police shall report back to the Joint Standing Committee on Transportation no later than February 1, 2006. The report must include the status of the committee and any findings and recommendations for the committee's continuance, discontinuance or modification.

Sec. 6. Effective date. Those sections of this Act that enact the Maine Revised Statutes, Title 29-A, section 101, subsection 19-A; amend Title 29-A, section 457, subsections 1 and 6; and enact Title 29-A, section 458-B take effect July 1, 2006.

See title page for effective date, unless otherwise indicated.

CHAPTER 322

H.P. 1023 - L.D. 1461

An Act To Increase Access to Certain Dental Services

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

Sec. 1. 32 MRSA c. 16, sub-c. 3-A is enacted to read:

SUBCHAPTER 3-A

EXPANDED FUNCTION DENTAL ASSISTANT

§1094-D. Definitions

As used in this subchapter, unless the context otherwise indicates, "expanded function dental assistant" means an individual who holds a current valid certification under this subchapter to perform reversible intraoral procedures authorized by this subchapter under the direct supervision of a licensed dentist and under an assignment of duties by a dentist. As used in this subchapter, unless the context otherwise indicates, "reversible intraoral procedures" means placing and removing rubber dams and matrices; placing and contouring amalgam, composite and other restorative materials; applying sealants; supra gingival polishing; and other reversible procedures defined by the board not designated by this chapter to be performed only by licensed dentists or dental hygienists.

§1094-E. Procedures not authorized

An expanded function dental assistant may not perform the following procedures:

1. Examination, diagnosis and treatment planning. Complete or limited examination, diagnosis or treatment planning;

2. Surgical or cutting procedures. Surgical or cutting procedures of hard or soft tissue;

3. Prescribing drugs. Prescribing drugs, medications or work authorizations;

4. Performing pulp capping. Performing pulp capping, pulpotomy or other endodontic procedures;

5. Placement and adjustment of prosthetic appliances. Placement and intraoral adjustments of fixed or removable prosthetic appliances; or

6. Administration of anesthesia or sedation. Administration of local anesthesia, parenteral or inhalation sedation or general anesthesia.

§1094-F. Supervision

An expanded function dental assistant shall perform under the direct supervision of a dentist. As used in this section, "direct supervision" means that a dentist is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the condition to be treated and remains in the dental office or treatment facility while the procedure is being performed by the expanded function dental assistant and, before dismissal of the patient, evaluates the work performed by the expanded function dental assistant.

§1094-G. Qualifications

The board may certify as an expanded function dental assistant a person 18 years of age or older who submits an application on forms furnished by the board together with the required fee to be determined by the board, not to exceed \$100, and:

1. Holds certified dental assistant certificate or registered dental hygiene license and has completed training. Holds a current certified dental assistant certification or a current registered dental hygienist license and has successfully completed training in a school or program approved by the board; or

2. Is credentialed by another state or province. Is credentialed to perform as an expanded function dental assistant by another state or Canadian province, the standards of which are acceptable to the board.