

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

terrain vehicle clubs and snowmobile clubs that is self-funded through the State; and be it further

**Sec. 4. Funding sources. Resolved:** That the department, in consultation with the Department of Conservation, shall develop a plan to identify and secure funding sources for the purposes of the network, including, but not limited to, all license, permit and registration fees administered by the department; and be it further

**Sec. 5. Network Advisory Council. Resolved:** That the department in consultation with the Department of Conservation shall develop a plan to establish and implement the Network Advisory Council with membership representing each of the network sections to at a minimum:

1. Provide grants from a network fund;
2. Aid fish and game clubs or network committees with the start-up process;
3. Implement agreements in network sections or network districts;
4. Establish or attend meetings within the network sections or network districts including at least a quarterly meeting for all outdoor licensed activity groups within each section that can also be attended by a sergeant from the Maine Warden Service; and
5. Work on large-scale land access agreements or acquisitions; and be it further

**Sec. 6. Consultation with the Joint Standing Committee on Inland Fisheries and Wildlife. Resolved:** That the department shall provide update reports to and consult with the Joint Standing Committee on Inland Fisheries and Wildlife at that committee's authorized meetings before the Second Regular Session of the 123rd Legislature regarding the subject matter of this resolve; and be it further

**Sec. 7. Report. Resolved:** That the department shall report back its findings and recommendations including suggested legislation to implement its recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2008. The Joint Standing Committee on Inland Fisheries and Wildlife may submit legislation to the Second Regular Session of the 123rd Legislature pertaining to the findings and recommendations of the department's report.

See title page for effective date.

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**CHAPTER 84**  
**H.P. 130 - L.D. 148**

**Resolve, Directing the  
Department of Public Safety  
and the Attorney General To  
Review Other States'  
Concealed Weapon Reciprocity  
Agreements and Actively Seek  
Reciprocity Where  
Appropriate**

**Sec. 1. Commissioner of Public Safety and the Attorney General to review other states' concealed weapon laws and seek concealed weapon reciprocity agreements where appropriate. Resolved:** That the Commissioner of Public Safety shall work in cooperation with the Attorney General to conduct a comprehensive review of other states' concealed weapon laws for the purpose of identifying and seeking other states with whom this State may enter into concealed weapon reciprocity agreements; and be it further

**Sec. 2. Report. Resolved:** That the Commissioner of Public Safety shall report findings regarding the review of other states' concealed weapon laws, including identification of the states that meet this State's reciprocity standards, and progress regarding entering into concealed weapon reciprocity agreements with those other states. The Commissioner of Public Safety shall report to the Joint Standing Committee on Criminal Justice and Public Safety no later than January 1, 2008. Upon receipt of the report, the Joint Standing Committee on Criminal Justice and Public Safety may submit implementing legislation, if necessary, to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

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**CHAPTER 85**  
**H.P. 822 - L.D. 1129**

**Resolve, Directing the  
Commissioner of Professional  
and Financial Regulation To  
Conduct a Sunrise Review of  
Oral Health Care Issues**

**Sec. 1. Oral health care and sunrise review. Resolved:** That the Commissioner of Professional and Financial Regulation shall conduct an independent assessment pursuant to the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the following oral health care issues: the proposal for

expansion of the scope of practice of dental hygienists to create a mid-level dental hygienist license category, as well as the proposal to permit dental hygienists to practice independently without the supervision of a licensed dentist in order to increase access to preventive dental care across the State; the proposal to expand licensing requirements to permit graduates of a foreign university considered satisfactory to the Board of Dental Examiners to practice dentistry in this State, including a review of other states' models for evaluation of foreign-trained dentists; and the proposal that the regulatory structure for denturists and dental hygienists include placing denturists and dental hygienists under the jurisdiction of a new board within the Department of Professional and Financial Regulation; and be it further

**Sec. 2. Reporting date established. Resolved:** That no later than February 15, 2008 the Commissioner of Professional and Financial Regulation shall submit a report following the independent assessment under section 1 to the Joint Standing Committee on Business, Research and Economic Development. That committee is authorized to introduce legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

See title page for effective date.

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## CHAPTER 86

### H.P. 443 - L.D. 576

#### Resolve, To Examine Issues Related to Distracted Driving

**Sec. 1. Department of Public Safety to study distracted driving and motor vehicle accidents. Resolved:** That the Department of Public Safety shall analyze available data, including data generated from its planned upgrades of crash reports that will include fields for specific distractions and any other relevant data that may be available to the department, to determine the role various types of distractions play in motor vehicle accidents. The Department of Public Safety shall also develop recommendations for strengthening laws related to distracted driving; and be it further

**Sec. 2. Reports. Resolved:** That the Department of Public Safety shall submit an interim report, including any data collected pursuant to section 1 and its analysis of that data together with recommended legislation to strengthen laws related to distracted driving, to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2009. The department shall provide a final report on the data collected pursuant to section 1 and its analysis of that data together with any further recommended legislation related to distracted driving

to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2010. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit legislation related to the department's reports to the First Regular Session and the Second Regular Session of the 124th Legislature.

See title page for effective date.

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## CHAPTER 87

### H.P. 1197 - L.D. 1714

#### Resolve, To Expand the Maine Registry of Certified Nursing Assistants

**Sec. 1. Improve and expand registry. Resolved:** That the Department of Health and Human Services, referred to in this section as "the department," shall review all state and federal criteria applicable to the Maine Registry of Certified Nursing Assistants, referred to in this section as "the registry," established in the Maine Revised Statutes, Title 22, section 1812-G, and develop a plan to improve and expand the registry to include unlicensed assistive personnel. In developing the plan, the department shall:

1. Convene a working group to explore methods of increasing efficiency and reducing duplication of effort, including methods to encourage disclosure of the results of background checks that have been conducted by the registry and privately by prospective employers. The department shall invite the participation of representatives of the registry, direct care and support agencies and employers; and

2. Consider the following issues:

A. Requiring that every nursing assistant listed in the registry be recertified every 2 years and that background checks be conducted every 2 years;

B. Implementing measures designed to expand and enhance Internet access to the registry to better meet the needs of the public, employers and direct care and support agencies;

C. Expanding the information included in the registry. In assessing the information to be included, the department shall consider including general education about the field of work and general information on direct care and support jobs and responsibilities, including information on the differences between jobs requiring certification, licensure and registration;

D. Providing information on job opportunities, including providing a link to career center web-