

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

**CHAPTER 44
H.P. 451 - L.D. 615**

**An Act To Remove the
Advanced Cardiac Life
Support Certification
Requirement for Dental
Therapists**

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

Whereas, current law requires a dental hygienist who is a dental therapist to provide verification of a current advanced cardiac life support certification; and

Whereas, this certification, which is not required for a dentist, is a barrier to licensing dental therapists seeking to work in the State and should be eliminated as soon as possible; 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, ¶C, as amended by PL 2019, c. 388, §7, is further amended in subparagraph (4) by amending the first blocked paragraph to read:

For purposes of meeting the clinical requirements of this subparagraph, an applicant's hours of supervised clinical experience completed under the supervision of a dentist licensed in another state or a Canadian province may be included, as long as the applicant was operating lawfully under the laws and rules of that state or province; and

Sec. 2. 32 MRSA §18345, sub-§2, ¶C, as amended by PL 2019, c. 388, §7, is further amended by amending subparagraph (5) to read:

(5) A copy of the written practice agreement and standing orders required by section 18377, subsection 3; ~~and~~.

Sec. 3. 32 MRSA §18345, sub-§2, ¶C, as amended by PL 2019, c. 388, §7, is further amended by repealing subparagraph (6).

Sec. 4. 32 MRSA §18345, sub-§2, ¶F, as amended by PL 2019, c. 388, §7, is further amended by amending subparagraph (1) to read:

(1) Verification of meeting the requirements of paragraph C, subparagraphs (2); and (3) ~~and~~ (6); and

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

Effective May 5, 2021.

**CHAPTER 45
S.P. 484 - L.D. 1507**

**An Act To Establish a Local
Fiscal Recovery Funds
Program and Allocation**

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 federal American Rescue Plan Act of 2021, Public Law 117-2, provides, through the Coronavirus Local Fiscal Recovery Fund, funding for 3 categories: metropolitan cities, counties and nonentitlement units of local government; and

Whereas, amounts identified for nonentitlement units of local government will be provided to the State for distribution; and

Whereas, while it is expected that metropolitan and county funds will be provided directly to those entities by the Federal Government, it may be possible these funds will also be provided to the State for distribution; and

Whereas, according to the American Rescue Plan Act of 2021, the funds must be distributed to the local governments after receipt by the State within 30 days; 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. Legislative intent regarding allocations to the Department of Administrative and Financial Services, American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds program. It is the intent of the Legislature that the total combined allocation in section 2 of \$493,973,030 for fiscal years 2020-21 and 2021-22 represents the estimated maximum total amount to be distributed to the 3 categories of local government, which are county, metropolitan and other units of local government, scheduled for re-

cept of local fiscal recovery funds in the federal American Rescue Plan Act of 2021. While the Legislature expects that county and metropolitan funds will be provided directly to those entities by the Federal Government, the Legislature understands that federal regulations may require distribution of the local fiscal recovery fund portion of the funds from the federal American Rescue Plan Act of 2021 through the State to those entities and has allocated the combined total to provide for that possibility. The allocation in fiscal year 2022-23 allows for the expenditure of any remaining funds that may carry into that fiscal year. The Department of Administrative and Financial Services may adjust allotments by financial order to conform to guidance put forth by the Federal Government regarding the local fiscal recovery funds.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

American Rescue Plan Act of 2021 - Local Fiscal Recovery Funds N359

Initiative: Provides one-time allocations necessary to distribute the local fiscal recovery funds authorized in the federal American Rescue Plan Act of 2021.

FEDERAL EXPENDITURES FUND - ARP	2020-21	2021-22	2022-23
All Other	\$246,986,515	\$246,986,515	\$500
FEDERAL EXPENDITURES FUND - ARP TOTAL	\$246,986,515	\$246,986,515	\$500

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

Effective May 5, 2021.

**CHAPTER 46
S.P. 14 - L.D. 7**

An Act To Expand the Membership of the Board of Directors of the Maine International Trade Center

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

Sec. 1. 10 MRSA §945-C, first ¶, as enacted by PL 1995, c. 648, §5, is amended to read:

The Board of Directors of the Maine International Trade Center, referred to in this chapter as the "board of directors," consists of 7 11 directors elected from the membership ~~and~~ 5 directors appointed by the Governor

and the president of the center, serving in an ex officio capacity. Each director is entitled to one vote. Board members' terms must be staggered as determined in the bylaws of the center.

Sec. 2. 10 MRSA §945-C, sub-§1, as enacted by PL 1995, c. 648, §5, is amended to read:

1. Elected directors. The members shall elect 7 11 directors from among the center's dues-paying membership.

Sec. 3. 10 MRSA §945-C, sub-§2, as enacted by PL 1995, c. 648, §5, is amended to read:

2. Governor-selected directors. The Governor shall select 5 directors, ~~one of whom must be the International Trade Director at the Department of Economic and Community Development.~~ The other 4 directors each of whom must have international business or professional experience.

Sec. 4. 10 MRSA §945-C, sub-§4, as enacted by PL 1995, c. 648, §5, is amended to read:

4. President. The International Trade Director at the Department of Economic and Community Development shall serve as the president of the center upon confirmation by a majority of the board of directors. Once every 2 years, the Governor shall submit the International Trade Director's name to the board of directors for reappointment. Reappointment is subject to confirmation by a majority of the board of directors. The president shall serve as an ex officio voting member of the board of directors.

See title page for effective date.

**CHAPTER 47
S.P. 18 - L.D. 11**

An Act To Clarify the Laws Regarding Reciprocity for Licensure of Professional Engineers

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

Sec. 1. 32 MRSA §1352-A, sub-§1, ¶A-1 is enacted to read:

A-1. An applicant for licensure by endorsement or comity who provides proof that the applicant has been a licensed professional engineer, in good standing, in another state, territory or possession of the United States, the District of Columbia or any foreign country for a minimum of 8 years and whose licensure qualifications are, in the opinion of the board, substantially equivalent to the requirements in this chapter and who has never been subject to disciplinary action as a professional engineer may be licensed as a professional engineer.