

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

hours must be in board-approved courses on drug administration as described in section 13702-A, subsection 28. A pharmacist who enters into a collaborative practice agreement must agree to complete, in each year of the agreement, 5 of the 15 hours required in this section in the areas of practice covered by the agreement. The continuing professional pharmaceutical educational courses consist of postgraduate studies, institutes, seminars, workshops, lectures, conferences, extension studies, correspondence courses or such other forms of continuing professional pharmaceutical education as may be approved by the board.

See title page for effective date.

CHAPTER 85

S.P. 346 - L.D. 1078

An Act To Promote Traffic Safety in Emergency Situations

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

Sec. 1. 29-A MRSA §2091, sub-§1, as enacted by PL 2005, c. 167, §1, is amended to read:

1. **Definition.** For the purposes of this section, "public safety traffic flagger" means a municipal firefighter, a volunteer firefighter or a member of an emergency medical service licensed by the Department of Public Safety, Maine Emergency Medical Services who is trained in accordance with subsection 2 and authorized by the chief official of the fire department or emergency medical service to control vehicular traffic or a nonsworn member of a law enforcement agency who is trained in accordance with subsection 2 and authorized by the chief official of the law enforcement agency.

See title page for effective date.

CHAPTER 86

S.P. 371 - L.D. 1109

An Act To Align Equipment Requirements for Electric Bicycles with National Manufacturing Standards

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

Sec. 1. 29-A MRSA §2063, sub-§14, ¶G, as enacted by PL 2019, c. 349, §7, is amended to read:

G. ~~An~~ A Class 3 electric bicycle must be equipped with a speedometer that displays the speed the electric bicycle is traveling in miles per hour.

See title page for effective date.

CHAPTER 87

S.P. 135 - L.D. 309

An Act Relating to Hunters Required To Hire Guides

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

Sec. 1. 12 MRSA §11226-B is enacted to read:

§11226-B. Canadian big game hunter; guide required

1. **Definitions.** For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Big game" means bear, deer and moose.

B. "Canadian border province resident" means a nonresident who is not a citizen of the United States and is a resident of the Canadian province of New Brunswick or Quebec.

C. "Family member" means a parent, spouse, daughter or son or a grandchild who is less than 18 years of age.

2. **Prohibition.** Except as provided in this subsection, a Canadian border province resident may not hunt big game or wild turkey without being accompanied by a person who holds a valid guide license pursuant to chapter 927 authorizing that person to act as a hunting guide. The commissioner may authorize a Canadian border province resident and that person's family members to hunt big game or wild turkey without being in the presence of a guide if the Canadian border province resident:

A. Owns or leases land in the State;

B. Is current on property taxes assessed for the land owned in the State; and

C. Keeps property owned or leased in the State open for hunting by the public.

A Canadian border province resident who wishes to hunt big game or wild turkey without a guide must, at the time of application for a hunting license or permit to hunt big game or wild turkey, provide documentation to the commissioner that that person meets the requirements of this subsection. Upon determining that the applicant meets the criteria in this subsection and the applicant is not otherwise ineligible to hold a license or permit under this Part, the commissioner shall issue written authorization to hunt big game or wild turkey without a guide to that Canadian border province resident and that person's family members who are Canadian border province residents and who hold a valid license to hunt big game or wild turkey in the State.

3. **Penalty.** The following penalties apply to violations of this section.

A. A person who violates subsection 2 commits a civil violation for which a fine of not less than \$100 or more than \$500 may be adjudged.

B. A person who violates subsection 2 after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

See title page for effective date.

**CHAPTER 88
S.P. 33 - L.D. 25**

**An Act To Modify the
Qualifications for Resident
Dentist Licensure**

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

Whereas, immediate enactment of this legislation regarding resident dentist licensure is necessary to timely give the Board of Dental Practice statutory authority to consider educational equivalency in an applicant's meeting educational qualifications for licensure, to remove unnecessary examinations for licensure and to allow the board to grant a license to a qualified dentist to obtain supervised, clinical experience in Maine while enrolled in a dental residency program; 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 §18342, sub-§6, ¶A, as enacted by PL 2015, c. 429, §21, is amended to read:

A. Verification of a doctoral degree in dentistry from a dental school accredited by the American Dental Association Commission on Dental Accreditation or its successor organization or the educational equivalent of a doctoral degree in dentistry as required by board rule;

Sec. 2. 32 MRSA §18342, sub-§6, ¶B, as enacted by PL 2015, c. 429, §21, is amended to read:

B. Verification of passing all examinations a jurisprudence examination as required by board rule;

Sec. 3. 32 MRSA §18371, sub-§2, ¶E, as enacted by PL 2015, c. 429, §21, is amended to read:

E. An individual with a resident dentist license may provide dental services only under the supervision of the sponsoring dentist in a board-

approved setting and in accordance with the level of supervision and control for which the license was issued by the board.

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

Effective June 8, 2021.

**CHAPTER 89
S.P. 138 - L.D. 312**

**An Act To Extend the Maine
Bicentennial Commission and
the Use of Maine Bicentennial
Registration Plates through
2021**

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 State's COVID-19 response has delayed celebration of the State's bicentennial and restrictions on the display of commemorative vehicle registration plates prevent their use after December 31, 2020; and

Whereas, this legislation must take effect as soon as possible in order to allow the use of commemorative vehicle registration plates in order to celebrate the State's bicentennial; 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. 29-A MRSA §454, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Display. A commemorative plate may be displayed to replace the front registration plate on a motor vehicle, except a truck tractor, including a motor vehicle registered outside this State and operated within it, from January 1st to December 31st of the year celebrated, except that a commemorative plate celebrating the bicentennial of the State may be displayed until December 31, 2021.

Sec. 2. Resolve 2015, c. 23, §1 is amended to read:

Sec. 1. State of Maine Bicentennial commemorative plate. Resolved: That the Secretary of State shall issue, at no cost to the Secretary of State,