

# 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.**

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**Augusta, Maine**  
**2021**

**Sec. 15. 21-A MRSA §1125, sub-§8-D**, as enacted by IB 2015, c. 1, §25, is amended to read:

**8-D. Distributions to participating certified candidates for State House of Representatives.** Distributions from the fund to participating certified candidates for the State House of Representatives must be made as follows.

- A. For an uncontested primary election, the total distribution of revenues is \$500 per candidate.
- B. For a contested primary election, the total distribution of revenues is \$2,500 per candidate.
- C. For an uncontested general election, the total distribution of revenues is \$1,500 per candidate.
- D. For a contested general election, the amount of revenues distributed is as follows:
  - (1) The initial distribution of revenues is \$5,000 per candidate;
  - (2) For each increment of 15 additional qualifying contributions a candidate collects and submits pursuant to subsection 8-E, not to exceed a total of 120 additional qualifying contributions, the supplemental distribution of revenues to that candidate is \$1,250; and
  - (3) The total amount of revenues distributed for a contested general election may not exceed \$15,000 per candidate.

See title page for effective date.

**CHAPTER 133**

**H.P. 1137 - L.D. 1533**

**An Act To Amend the Foreign Credentialing and Skills Recognition Revolving Loan Program**

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

**Sec. 1. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (7) to read:

- (7) Fees related to obtaining a Maine driver's license, including but not limited to driver's education course fees, learner's permit application fees and driver's license fees; ~~and~~

**Sec. 2. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by amending subparagraph (8) to read:

- (8) Costs to travel to the nearest location of any exam or test needed to establish the applicant's skills or credentials or English language proficiency if there is no location within 60

miles of the Maine town in which the immigrant resides; and

**Sec. 3. 10 MRSA §1100-AA, sub-§1, ¶A**, as enacted by PL 2019, c. 447, §1, is amended by enacting a new subparagraph (9) to read:

- (9) Costs of a filing fee required by the United States Department of Homeland Security, United States Citizenship and Immigration Services, or any successor federal agency, to apply for the immigrant's initial work permit.

**Sec. 4. 10 MRSA §1100-AA, sub-§1, ¶C-1** is enacted to read:

C-1. "Initial work permit" means the first work permit that the immigrant is authorized to apply for under 8 Code of Federal Regulations, Section 274a.12(c) (2019).

**Sec. 5. 10 MRSA §1100-AA, sub-§1, ¶E**, as enacted by PL 2019, c. 447, §1, is amended to read:

E. "Work permit" means a document provided by the United States Department of Homeland Security or any other federal immigration authority confirming a federal authorization of a person who is not a United States citizen to work in the United States.

**Sec. 6. 10 MRSA §1100-AA, sub-§4, ¶B**, as enacted by PL 2019, c. 447, §1, is amended to read:

B. Must have filed an application or petition with federal immigration authorities that entitles the immigrant to request a work permit in any of the categories set forth in 8 Code of Federal Regulations, Section 274a.12(e)(2019) 274a.12(c) (2019). The immigrant shall provide electronic or paper evidence establishing that the application or petition was filed with federal immigration authorities and shall state which section of 8 Code of Federal Regulations, Section 274a.12(e)(2019) 274a.12(c) (2019) allows the immigrant to request a work permit. An immigrant is not eligible if the immigrant has been denied a work permit at the time of making the application. In the case of ~~asylum seekers~~, an immigrant who, pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8) (2019) or other federal statute or regulation, is required to wait a period of time after filing an application for asylum or another immigration benefit or relief before becoming authorized to receive an initial work permit, the immigrant is eligible if the immigrant's request for asylum has been pending for fewer than 150 days since the date of its filing and the immigrant has not yet been able to apply for a work permit pursuant to 8 Code of Federal Regulations, Section 274a.12(c)(8)(2019) or, if more than 150 days have elapsed since the asylum application was filed, the immigrant has a pending application for a work permit underlying application for asylum or

another immigration benefit or relief entitling the immigrant to request an initial work permit following the required period has been filed and is pending at the time of making the application to the program; and

See title page for effective date.

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**CHAPTER 134**  
**S.P. 34 - L.D. 26**

**An Act To Allow a Dentist To Administer Botulinum Toxin and Dermal Fillers**

**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 sole purpose of the Board of Dental Practice is to protect the public health and welfare by ensuring that the public is served by competent and honest practitioners and by establishing minimum standards of proficiency; and

**Whereas,** former board rule Chapter 9: Complaints/Investigations/Unprofessional Conduct, Section II, paragraph U, which was repealed effective April 5, 2020, contained language restricting a dentist's scope of practice to administer botulinum toxins and dermal fillers to dental procedures; and

**Whereas,** substantive policy decisions such as expanding or restricting scopes of practice are appropriate for the legislative process, not an administrative rule-making process; and

**Whereas,** immediate enactment of this legislation is necessary to continue protecting the public by ensuring that authorization for a dentist to administer botulinum toxin and dermal fillers to a patient as part of a dental treatment plan is continued as part of a dentist's scope of practice; 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 §18325, sub-§1, ¶O,** as amended by PL 2015, c. 488, §33, is further amended to read:

O. A violation of this chapter or a rule adopted by the board; ~~and~~

**Sec. 2. 32 MRSA §18325, sub-§1, ¶P,** as enacted by PL 2015, c. 488, §34, is amended to read:

P. Failure to comply with the requirements of Title 22, section 7253-; and

**Sec. 3. 32 MRSA §18325, sub-§1, ¶Q** is enacted to read:

Q. Administering botulinum toxins or dermal fillers to a patient when that administration is not supported by a diagnosed dental condition or is not part of a patient's dental treatment plan. This paragraph does not apply to a dentist who has successfully completed postgraduate training and certification in oral and maxillofacial surgery from a program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization.

**Sec. 4. 32 MRSA §18371, sub-§1, ¶M,** as enacted by PL 2015, c. 429, §21, is amended to read:

M. Prescribe drugs or medicine and administer local anesthesia, analgesia including nitrous oxide and oxygen inhalation and, with the appropriate permit issued by the board, administer sedation and general anesthesia necessary for proper dental treatment; ~~and~~

**Sec. 5. 32 MRSA §18371, sub-§1, ¶N,** as enacted by PL 2015, c. 429, §21, is amended to read:

N. Take case histories and perform physical examinations to the extent the activities are necessary in the exercise of due care in conjunction with the provision of dental treatment or the administration of anesthesia. A dentist is not permitted to perform physical examinations within a hospital licensed by the Department of Health and Human Services unless this activity is permitted by the hospital.; and

**Sec. 6. 32 MRSA §18371, sub-§1, ¶O** is enacted to read:

O. Administer botulinum toxins or dermal fillers to a patient with a diagnosed dental condition or when that administration is identified as part of a patient's dental treatment plan. A dentist who has successfully completed postgraduate training and certification in oral and maxillofacial surgery from a program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization may administer botulinum toxin or dermal fillers in the course of treatment for oral or maxillofacial disease, disfigurement or disjunction.

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

Effective June 10, 2021.

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