

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

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

Augusta, Maine
2026

8. Monitoring and responding to a child's physical signs of distress;

9. The timely reporting and documenting of each incident involving the dangerous behavior of a student and the law governing dangerous behavior prevention and intervention under the Maine Revised Statutes, Title 20-A, section 6555; and

10. Positive behavior strategies.

The department shall distribute the best practices for training in de-escalation and behavior intervention to all school administrative units in the State no later than September 1, 2026.

See title page for effective date.

CHAPTER 127 H.P. 720 - L.D. 1098

Resolve, Directing the Department of Education to Review the Use of Abbreviated School Days

Sec. 1. Abbreviated school day; review. Resolved: That the Department of Education shall, within existing resources, review the use of the abbreviated school day provisions described in department rule 05-071 C.M.R. Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty-Two in schools in the State. The Department of Education may consult with the Maine Education Policy Research Institute to complete the review and requirements of the report described in section 2.

Sec. 2. Report. Resolved: That the Department of Education shall submit a report no later than February 1, 2026 to the Joint Standing Committee on Education and Cultural Affairs on the findings of the review described in section 1. The report must include data regarding the frequency and duration of abbreviated school day placements and input from stakeholders, including, but not limited to, school personnel and parents. The report must also include information about the impacts that abbreviated school day placements may have on school funding and on student outcomes. The Joint Standing Committee on Education and Cultural Affairs may report out a bill based on the report to the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 128

S.P. 624 - L.D. 1540

Resolve, Directing the Maine Developmental Disabilities Council to Examine the Unmet Needs of Children Who Need Skilled Medical Care

Sec. 1. Maine Developmental Disabilities Council to convene work group to examine needs of families of children who need skilled medical care. Resolved: That the Maine Developmental Disabilities Council, established by the Maine Revised Statutes, Title 5, section 12004-I, subsection 66, referred to in this resolve as "the council," shall convene a work group, referred to in this resolve as "the work group," to examine the unmet needs of children in the State who need skilled medical care and families of those children. Working in partnership with the children and youth with special health care needs program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention, the work group shall:

1. Determine the number of children in the State with special health care needs who require skilled nursing;

2. Determine the number of children with special health care needs under department rule Chapter 101: MaineCare Benefits Manual, Chapters II and III, Section 40 and Section 96 who are:

A. Eligible for skilled medical support;

B. Currently receiving services;

C. Receiving a different number of hours of services per week compared to the number to which the children are entitled and what the difference is;

D. On waiting lists for services in each county; and

E. On more than one waiting list under paragraph D and how many;

3. Recommend a method to collect data systematically for any data components in subsection 2 that are not available;

4. Identify the variety of unmet needs for children with special health care needs and families of those children and develop recommendations so that those children are able to get their needs met;

5. Identify the best method to compensate families with children who need skilled medical care who are unable to find appropriate professionals to provide care resulting in parents providing services themselves;

6. Consider benefits and disadvantages to amending Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapters II

and III, Section 40 or Section 96, developing a federal waiver for children with complex medical needs or a combination of these strategies or other methods; and

7. Develop recommendations to ensure that medical assessments are conducted on children who need them through existing or expanded services or funding streams.

Sec. 2. Work group membership. Resolved: That the work group convened pursuant to section 1 must include, but is not limited to, members appointed by the council as follows:

1. A representative from the children and youth with special health care needs program within the Department of Health and Human Services, Maine Center for Disease Control and Prevention;

2. A representative from the Department of Health and Human Services, Maine Center for Disease Control and Prevention, Division of Public Health Nursing;

3. A representative from the Department of Health and Human Services, Office of MaineCare Services with expertise in the early and periodic screening, diagnostic treatment program;

4. Two parents or guardians of children who require complex medical care;

5. A representative of an agency providing home health services;

6. A representative of an agency providing private duty nursing services;

7. A physician, physician's assistant or nurse practitioner who takes care of pediatric patients with complex medical needs;

8. A representative from children's behavioral health services within the Department of Health and Human Services;

9. A representative from the State Board of Nursing; and

10. A representative from the council.

Sec. 3. Convening of work group; staffing assistance; funding. Resolved: That the council shall provide the necessary resources to organize and support the work of the work group convened pursuant to this resolve, including convening and providing any necessary staffing services for the work group.

Sec. 4. Report. Resolved: That the council shall submit a report, no later than January 31, 2026, that includes a summary of the findings of the work group along with recommendations and any suggested legislation to the Joint Standing Committee on Health and Human Services. The committee shall review the findings and recommendations of the report and may report out legislation to implement recommendations

related to the report in the Second Regular Session of the 132nd Legislature.

See title page for effective date.

CHAPTER 129

S.P. 661 - L.D. 1667

Resolve, to Allow Hemphill Farms, Inc. to Sue the State

Sec. 1. Authorization to sue State. Resolved: That, notwithstanding any provision of law to the contrary, Hemphill Farms, Inc., in Presque Isle, which claims to have suffered damages in connection with actions taken by the Department of Agriculture, Conservation and Forestry, is authorized to bring a civil action against the Department of Agriculture, Conservation and Forestry. This resolve is a waiver of the State's defense of immunity under the Maine Revised Statutes, Title 14, chapter 741.

Notwithstanding the application of any statute of limitations barring this action, this action may be brought in the Aroostook County Superior Court within one year from the effective date of this resolve. Liability and damages, including punitive damages, must be determined according to state law as in litigation between individuals, except that the award of damages resulting from a civil action authorized by this resolve may not exceed \$400,000. The action may be heard by a Justice of the Superior Court or by a jury. The Maine Rules of Civil Procedure govern the conduct of the action. The Attorney General shall appear, answer and defend the action. To the extent possible, the Attorney General shall conduct negotiations in good faith to resolve this action by settlement.

The Treasurer of State shall pay any settlement determined by agreement of the parties or any judgment, including costs and interest, upon final process issued by the Superior Court or, if applicable, the Supreme Judicial Court.

See title page for effective date.

CHAPTER 130

H.P. 1167 - L.D. 1749

Resolve, Directing the Department of Corrections to Study Achieving Gender Equality

Sec. 1. Department of Corrections to study achieving gender equality. Resolved: That the Department of Corrections shall study the extent of gender inequality present in the programs, services, facili-