

MAINE STATE LEGISLATURE

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Date: 4/11/26

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1458, L.D. 2170, "An Act to Correct Inconsistencies, Conflicts and Errors in the Laws of Maine"

Amend the bill in Part A in section 3 in subsection 7 in the 10th line (page 2, line 3 in L.D.) by inserting after the following: "952" the following: 'and sections 958 to 960'

Amend the bill in Part A in section 4 in subsection 2 in the 4th line (page 2, line 20 in L.D.) by inserting after the following: "952" the following: 'and sections 958 to 960'

Amend the bill in Part A by striking out all of section 31.

Amend the bill in Part A by striking out all of section 38.

Amend the bill by inserting after Part A the following:

'PART B

Sec. B-1. 5 MRSA §3233, sub-§4, ¶C, as enacted by PL 2025, c. 388, Pt. D, §12, is amended to read:

C. Within ~~35~~ 10 business days after receiving the comprehensive plan, notify the municipality or multimunicipal region if the plan is complete for purposes of review. If the office notifies the municipality or multimunicipal region that the plan is not complete for purposes of review, the office shall indicate in its notice necessary additional data or information;

Sec. B-2. 5 MRSA §3233, sub-§4, ¶D, as enacted by PL 2025, c. 388, Pt. D, §12, is amended to read:

D. Within ~~40~~ 35 business days of issuing notification that a comprehensive plan is complete for purposes of review, issue findings specifically describing whether the submitted plan is consistent with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter 2 and identify which inconsistencies in the plan, if any, may directly affect rate of growth, zoning or impact fee ordinances.

COMMITTEE AMENDMENT

- 1 (1) In its findings, the office shall clearly indicate its position on any point on
- 2 which there are significant conflicts among the written comments submitted to the
- 3 office.
- 4 (2) If the office finds that the comprehensive plan was developed in accordance
- 5 with the procedures, goals and guidelines established in Title 30-A, chapter 187,
- 6 subchapter 2, the office shall issue a finding of consistency for the comprehensive
- 7 plan.
- 8 (3) A finding of inconsistency must identify the goals under Title 30-A, chapter
- 9 187, subchapter 2 not adequately addressed, specific sections of the rules relating
- 10 to comprehensive plan review adopted by the office not adequately addressed and
- 11 recommendations for resolving the inconsistency;

12 **Sec. B-3. 5 MRSA §3233, sub-§4, ¶F**, as enacted by PL 2025, c. 388, Pt. D, §12,
13 is amended to read:

14 F. Provide ample opportunity for the municipality or multimunicipal region submitting
15 a comprehensive plan to respond to and ~~correct any identified deficiencies in the plan~~
16 revise the plan to be consistent with the procedures, goals and guidelines established
17 in Title 30-A, chapter 187, subchapter 2. A finding of inconsistency for a
18 comprehensive plan may be addressed within 24 months of the date of the finding
19 without addressing any new review standards that are created during that time interval.
20 After 24 months, the plan must be resubmitted in its entirety for state review under the
21 office's most current review standards.

22 **Sec. B-4. 5 MRSA §3233, sub-§4**, as enacted by PL 2025, c. 388, Pt. D, §12, is
23 amended by amending the 3rd blocked paragraph to read:

24 A finding by the office pursuant to paragraph D that a comprehensive plan is consistent
25 with the procedures, goals and guidelines established in Title 30-A, chapter 187, subchapter
26 2 is valid for 12 years from the date of its issuance. A finding by the Department of
27 Agriculture, Conservation and Forestry issued after January 1, 2013 that a comprehensive
28 plan is consistent with the procedures, goals and guidelines established in Title 30-A,
29 chapter 187, subchapter 2 is valid until December 12, 2028 or 12 years after the date of
30 consistency determined by the department, whichever is later. For purposes of Title 30-A,
31 section 4314, subsection 3 and Title 30-A, section 4352, subsection 2, expiration of a
32 finding of consistency pursuant to this subsection does not itself make a comprehensive
33 plan inconsistent with the procedures, goals and guidelines established in Title 30-A,
34 chapter 187, subchapter 2.

35 **PART C**

36 **Sec. C-1. 5 MRSA §4763**, as enacted by PL 2025, c. 517, §1, is amended by
37 amending the section headnote to read:

38 **§4763. ~~Prohibited~~ Regulated activities**

39 **Sec. C-2. 5 MRSA §7039**, as corrected by RR 2001, c. 2, Part A, §9, is amended to
40 read:

41 **§7039. Civil Service Law**

1 The Civil Service Law consists of chapters 56-A, 65, 67, 68, 69, and 71 and this
 2 chapter. Whenever reference is made in statute or rule to the Civil Service Law, the
 3 chapters delineated in this section apply.

4 **Sec. C-3. 9-B MRSA §131, sub-§22-B**, as enacted by PL 1997, c. 315, §9, is
 5 amended to read:

6 **22-B. Insurance agent ~~or agency~~ and insurance producer.** "Insurance agent ~~or~~
 7 ~~agency"~~ means a person engaged in the business of an insurance agent as defined and
 8 "insurance producer" have the same meaning as "insurance producer" in Title 24-A, section
 9 ~~1502~~ 1402, subsection 5.

10 **Sec. C-4. 9-B MRSA §131, sub-§22-C**, as enacted by PL 1997, c. 315, §9, is
 11 repealed.

12 **Sec. C-5. 9-B MRSA §427, sub-§3, ¶C**, as enacted by PL 1975, c. 500, §1, is
 13 amended to read:

14 C. ~~Nothing contained in this~~ This subsection shall be deemed ~~may not be construed~~
 15 to modify or otherwise affect Title 11, section ~~1-201, subsection 25 or Title 11, section~~
 16 ~~3-304, nor 1-1202, 3-1302, 3-1304 or 3-1307~~ or to relieve ~~such a drawee financial~~
 17 institution from any liability imposed upon it by law to the extent of any payment or
 18 amount ~~which such~~ that the institution may receive for its benefit from any ~~of such~~
 19 checks drawn or endorsed as described in paragraph A or funds represented ~~thereby by~~
 20 those checks.

21 **Sec. C-6. 9-B MRSA §448**, as amended by PL 1999, c. 790, Pt. A, §10 and PL
 22 2007, c. 273, Pt. B, §§5 and 6 and affected by §7 and c. 695, Pt. A, §47, is further amended
 23 by amending the section headnote to read:

24 **§448. Insurance ~~agency~~ activities**

25 **Sec. C-7. 9-B MRSA §448, sub-§3**, as enacted by PL 1997, c. 315, §17, is amended
 26 to read:

27 **3. Customer notice that insurance is not federally guaranteed.** An institution that
 28 engages in insurance ~~agency or brokerage~~ activities authorized under subsection 1 must
 29 provide customer notice regarding insurance products in the following manner.

30 A. The institution shall post conspicuously a notice that is clearly visible to all
 31 customers that may purchase insurance products from the institution. The notice must
 32 state in clearly understandable language that the insurance is not insured by the Federal
 33 Deposit Insurance Corporation or National Credit Union Administration, as applicable;

34 B. When a prospective purchaser of insurance is directly and personally contacted by
 35 the institution, the institution shall orally inform that prospective purchaser of
 36 insurance that the insurance product is not insured by the Federal Deposit Insurance
 37 Corporation or National Credit Union Administration, as applicable; and

38 C. Before the sale of an insurance product is completed the institution must obtain a
 39 written statement signed by the purchaser of insurance that the purchaser received the
 40 oral notice required by paragraph B.

41 **Sec. C-8. 12 MRSA §6025, sub-§1**, as amended by PL 1985, c. 785, Pt. B, §67, is
 42 further amended to read:

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1. Appointment. Applicants for the position of a marine patrol officer who qualify under the officer's code and pass the examination administered by the Bureau of Human Resources may be appointed by the commissioner to hold office under ~~Title 5, chapters 51 to 67~~ the Civil Service Law and under the officer's code.

Sec. C-9. 24-A MRSA §4362, sub-§3, as enacted by PL 1969, c. 132, §1 and amended by PL 1973, c. 585, §12, is further amended to read:

3. Notwithstanding any other provision of law, no bond shall be required of the superintendent as a prerequisite for the issuance of any injunction or restraining order pursuant to ~~this section~~ subsection 1 or 2.

Sec. C-10. 24-A MRSA §4362, sub-§4, as enacted by PL 2025, c. 17, §3, is amended to read:

4. Notwithstanding subsections 1; and 2 or ~~3~~ or any provision of this chapter to the contrary, a person may not for more than 10 days be restrained, enjoined or prohibited from exercising or enforcing any right or cause of action under any pledge, security, credit, collateral, loan, advance, reimbursement, guarantee agreement or arrangement or any similar agreement, arrangement or other credit enhancement to which a federal home loan bank is a party.

Sec. C-11. 26 MRSA §852, as corrected by RR 2023, c. 2, Pt. E, §34, is amended to read:

§852. Employment of replacements prohibited

A person, partnership, union, agency, firm or corporation or officer, employee or agent thereof may not recruit, procure, supply or refer any person for employment who customarily and repeatedly offers to accept employment in place of any employee involved in a labor; strike or lockout in which that person, partnership, union, agency, firm or corporation is not directly involved.

Sec. C-12. 26 MRSA §853, as corrected by RR 2023, c. 2, Pt. E, §35, is amended to read:

§853. Arrangements

A person, partnership, union, firm or corporation involved in a labor; strike or lockout may not, directly or indirectly, employ in the place of an employee involved in that strike or lockout any person who customarily and repeatedly offers to accept employment in the place of employees involved in a labor strike or lockout or contract or arrange with any other person, partnership, union, agency, firm or corporation to recruit, procure, supply or refer persons for employment who customarily and repeatedly offer to accept employment in place of employees involved in a labor; strike or lockout.

Sec. C-13. 26 MRSA §854, as corrected by RR 2023, c. 2, Pt. E, §36, is amended to read:

§854. Offers

A person who customarily and repeatedly offers to accept employment in place of employees involved in a labor; strike or lockout may not take or offer to take the place of employment of any employee involved in a labor; strike or lockout.

1 **Sec. C-14. 26 MRSA §855**, as corrected by RR 2023, c. 2, Pt. E, §37, is amended
2 to read:

3 **§855. Evidence**

4 It is prima facie evidence that a person customarily and repeatedly offers to accept
5 employment in place of employees involved in a labor; strike or lockout if the person has
6 2 times before offered to take the place of employment of persons involved in labor; strikes
7 or lockouts.

8 **Sec. C-15. 33 MRSA §1603-117, first ¶**, as enacted by PL 1981, c. 699, is
9 amended to read:

10 (a) A judgment for money against the association, if a lien order is filed with the
11 ~~Register of Deeds~~ register of deeds of the county where the condominium is located, as
12 provided in Title 14, section ~~3132, as it or its equivalent may be amended or modified from~~
13 ~~time to time~~ 3131, subsection 9, paragraph B, is not a lien on the common elements, but is
14 a lien in favor of the judgment lienholder against all of the units in the condominium at the
15 time the judgment was entered. ~~No other~~ Other property of a unit owner is not subject to
16 the claims of creditors of the association.

17 **Sec. C-16. 34-B MRSA §3613**, as repealed and replaced by PL 2025, c. 388, Pt.
18 YY, §1 and repealed by c. 390, Pt. A, §55, is repealed and the following enacted in its
19 place:

20 **§3613. Crisis receiving centers**

21 **1. Definitions.** As used in this section, unless the context otherwise indicates, "crisis
22 receiving center" means a center that provides immediate and short-term walk-in access to
23 an array of both clinical and nonclinical mental health and substance use disorder crisis
24 stabilization services to all individuals seeking care regardless of acuity or insurance
25 coverage and within bounds of licensing.

26 **2. Department to develop plan and serve as coordinator.** The department shall
27 develop a plan for a network of community-based crisis receiving centers across the State
28 to support both clinical and nonclinical mental health and substance use disorder crisis
29 stabilization services. The department shall also coordinate meetings, technical assistance
30 and training and provide other assistance to help create, maintain and, as necessary, expand
31 the network.

32 **3. Guidelines.** In carrying out its duties under subsection 2, the department shall:

33 **A. Consult with law enforcement agencies, municipalities, public health experts,**
34 **behavioral health care providers, other states and others as appropriate;**

35 **B. Assess geographical locations for maximization of community impact;**

36 **C. Provide technical assistance to persons and entities across the State and providers**
37 **interested in joining the network;**

38 **D. Coordinate regular meetings with crisis receiving centers and provide technical**
39 **assistance to crisis receiving centers; and**

40 **E. Engage in continual process improvement and planning updates.**

- 1 5. It corrects the same clerical error in several sections of law.
- 2 6. It removes unnecessary language associated with a corrected cross-reference that
- 3 describes future equivalent or amended versions of the cross-referenced provision.
- 4 7. It corrects a conflict created by Public Law 2025, chapters 388 and 390, which
- 5 affected the same provision of law, by repealing the provision and replacing it with the
- 6 chapter 388 version.
- 7 8. It updates language associated with a cross-reference to match current law.