

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**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**  
**2019**

**CHAPTER 88  
H.P. 317 - L.D. 408**

**Resolve, To Require the  
Department of Health and  
Human Services To Develop a  
Plan for Neurobehavioral Beds**

**Sec. 1. Department of Health and Human Services to develop a plan for neurobehavioral beds. Resolved:** That the Department of Health and Human Services shall develop a plan to provide up to 16 new neurobehavioral beds in the State to serve individuals with brain injury and accompanying significant behavioral challenges who need short-term treatment for no longer than one year before transitioning to a long-term care environment. These individuals must be unable to be served appropriately in the community or in a nursing facility lacking specialized neurobehavioral services but must not need hospitalization. The department shall submit a report with the plan, together with any necessary legislation, to the Joint Standing Committee on Health and Human Services no later than January 30, 2020. The committee is authorized to report out a bill based on the report to the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 89  
H.P. 884 - L.D. 1223**

**Resolve, Directing the  
Department of Transportation  
To Incorporate Transportation  
Demand Management  
Strategies in Its Rules  
Pertaining to Traffic  
Movement Permits**

**Sec. 1. Formation of stakeholder group. Resolved:** That the Commissioner of Transportation shall form a stakeholder group to review Chapter 305 of the Department of Transportation's rules pertaining to the traffic movement permit process established in the Maine Revised Statutes, Title 23, section 704-A.

**Sec. 2. Traffic movement permit recommendations. Resolved:** That the stakeholder group under section 1 shall develop and evaluate recommendations for incorporation into the traffic movement permit process of the following:

1. Feasible transportation demand management strategies that must be considered when analyzing the widening of roadways;
2. A requirement that all applicants for a traffic movement permit analyze all modes of transportation

reasonably related to a project, including but not limited to modes such as vehicle, pedestrian, bicycle, transit and trail use; and

3. Standards to be used by applicants for a traffic movement permit to evaluate the impacts on each mode of transportation reasonably related to a project and strategies to mitigate those impacts, including thresholds for applying those standards to a project and allowing an entity proposing a project that does not meet the thresholds to opt in to using those standards.

**Sec. 3. Rulemaking. Resolved:** That the Commissioner of Transportation shall submit major substantive rules amending the traffic movement permit process under the Maine Revised Statutes, Title 23, section 704-A, based on the findings and recommendations of the stakeholder group under section 2, no later than February 1, 2020.

**Sec. 4. Authorization to introduce a bill. Resolved:** That the Commissioner of Transportation shall identify and recommend to the Joint Standing Committee on Transportation any provision in law that may need to be amended to achieve the recommendations of the stakeholder group under section 2. The joint standing committee may introduce a bill amending the provisions of law identified by the commissioner during the Second Regular Session of the 129th Legislature.

See title page for effective date.

**CHAPTER 90  
H.P. 569 - L.D. 764**

**Resolve, To Create the  
Criminal Records Review  
Committee**

**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 definition of appropriate access to criminal records is evolving as society changes its thinking with regard to sentencing, punishment, rehabilitation and fresh starts; and

**Whereas,** the treatment of convictions for conduct that is no longer criminal is subject to reevaluation; and

**Whereas,** the separation of powers concept enshrined in the Constitution of Maine limits the options available for reducing access to criminal records; and

**Whereas,** the Criminal Records Review Committee is established in this resolve to develop a pro-