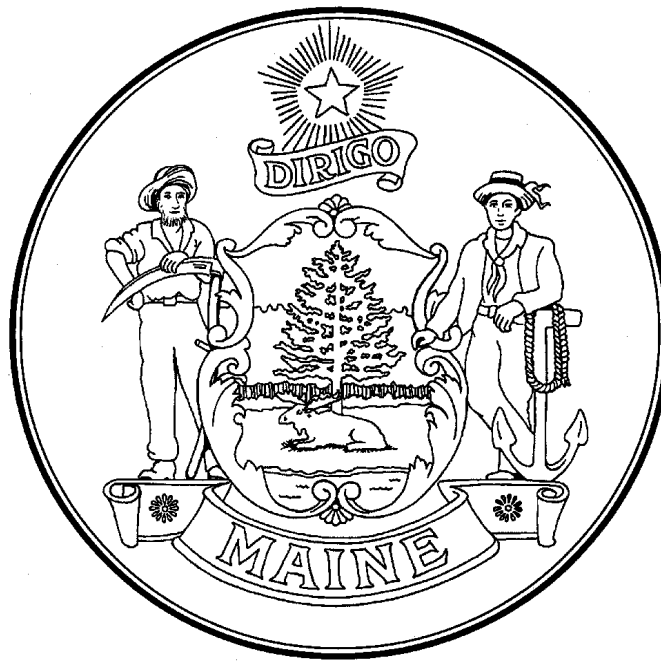


MAINE STATE LEGISLATURE

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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

B. Characteristics of race, color, ethnicity, gender and age of each person described in paragraph A. The identification of such characteristics must be based on the observation and perception of the law enforcement officer responsible for reporting the stop. The person stopped may not be required to provide the information;

C. The nature of each alleged traffic infraction that resulted in a stop;

D. Whether a warning or citation was issued, an arrest was made or a search was conducted as a result of each stop for a traffic infraction; and

E. Any additional information the law enforcement agency determines appropriate. The additional information may not include any other personally identifiable information about a person stopped for a traffic infraction such as the person's driver's license number, name or address.

2. Report to Attorney General. A law enforcement agency shall report the information required to be recorded and retained under subsection 1 to the Attorney General pursuant to rules adopted pursuant to section 4753.

§4753. Rules; consultation

1. Adoption of rules. By January 1, 2023, the Attorney General shall adopt rules for the recording, retention and reporting of information pursuant to section 4752 pertaining to persons stopped for traffic infractions. The information must include the characteristics of race, color, ethnicity, gender and age of the persons stopped, based on the observation and perception of the law enforcement officer making the stop. Rules adopted pursuant to this subsection are routine technical rules as defined in chapter 375, subchapter 2-A.

2. Consultation. In adopting rules pursuant to subsection 1, the Attorney General shall consult with the Commissioner of Public Safety and interested parties, including law enforcement agencies and community, professional, research, civil liberties and civil rights organizations and persons with lived experience of being profiled. The Attorney General shall ensure that the parties consulted represent the racial and ethnic diversity of the State.

§4754. Report; publication of data

Beginning January 15, 2024 and annually thereafter, the Attorney General shall provide to the joint standing committees of the Legislature having jurisdiction over judiciary matters and criminal justice and public safety matters and make available to the public a report of the information collected pursuant to this chapter. The report must include an analysis of the information and may include recommendations for changes in laws, rules and practices. Information

reported may not include personally identifiable information.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF
State Police 0291**

Initiative: Provides funding for computer programming costs and related maintenance.

GENERAL FUND	2021-22	2022-23
All Other	\$22,750	\$22,750
Capital Expenditures	\$113,750	\$0
GENERAL FUND TOTAL	\$136,500	\$22,750

See title page for effective date.

CHAPTER 461

S.P. 114 - L.D. 265

**An Act To Provide Women
Access to Affordable
Postpartum Care**

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

Sec. 1. 22 MRSA §3174-G, sub-§1, ¶A-1 is enacted to read:

A-1. Notwithstanding paragraph A, beginning January 1, 2022 and until June 30, 2022, a qualified woman during her pregnancy and up to 6 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 2. 22 MRSA §3174-G, sub-§1, ¶A-2 is enacted to read:

A-2. Notwithstanding paragraph A, beginning July 1, 2022 and until June 30, 2023, a qualified woman during her pregnancy and up to 9 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 3. 22 MRSA §3174-G, sub-§1, ¶A-3 is enacted to read:

A-3. Notwithstanding paragraph A, beginning July 1, 2023 and until December 31, 2026, a qualified woman during her pregnancy and up to 12 months following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;

Sec. 4. 22 MRSA §3174-G, sub-§1, ¶G, as amended by IB 2017, c. 1, Pt. A, §2, is further amended by amending subparagraph (2) to read:

(2) A child under 21 years of age; ~~and~~

Sec. 5. 22 MRSA §3174-G, sub-§1, ¶G-1 is enacted to read:

G-1. Notwithstanding paragraph G, beginning January 1, 2022 and until June 30, 2022, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 6 months following delivery; or
- (2) A child under 21 years of age;

Sec. 6. 22 MRSA §3174-G, sub-§1, ¶G-2 is enacted to read:

G-2. Notwithstanding paragraph G, beginning July 1, 2022 and until June 30, 2023, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 9 months following delivery; or
- (2) A child under 21 years of age;

Sec. 7. 22 MRSA §3174-G, sub-§1, ¶G-3 is enacted to read:

G-3. Notwithstanding paragraph G, beginning July 1, 2023 and until December 31, 2026, a person who is a noncitizen legally admitted to the United States to the extent that coverage is allowable by federal law if the person is:

- (1) A woman during her pregnancy and up to 12 months following delivery; or
- (2) A child under 21 years of age; and

Sec. 8. **State plan amendment.** The Department of Health and Human Services shall, no later than January 1, 2022, submit requests for any state plan amendments to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services determined necessary in order to accomplish the purposes of this Act. The department shall take all reasonable and necessary steps to seek approval of the state plan amendment.

Sec. 9. **Report.** The Department of Health and Human Services shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters, beginning February 1, 2023 and until February 1, 2026, about the extension of postpartum coverage in the Maine Revised Statutes, Title 22, section 3174-G, subsection 1. The joint standing committee of the Legislature having jurisdiction over health and human services matters is authorized to report out legislation to the Legislature regarding each report.

Sec. 10. **Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers 0147

Initiative: Provides appropriations and allocations to increase up to 12 months the period of time following delivery of a baby during which a woman may be eligible for services under the MaineCare program.

GENERAL FUND	2021-22	2022-23
All Other	\$79,920	\$279,720
GENERAL FUND TOTAL	<u>\$79,920</u>	<u>\$279,720</u>
FEDERAL EXPENDITURES FUND	2021-22	2022-23
All Other	\$142,080	\$497,280
FEDERAL EXPENDITURES FUND TOTAL	<u>\$142,080</u>	<u>\$497,280</u>

See title page for effective date.

CHAPTER 462

H.P. 193 - L.D. 277

**An Act To Discontinue the Use
of the SAT in Maine Schools**

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

Sec. 1. 20-A MRSA §6202, first ¶, as amended by PL 2015, c. 40, §4, is further amended to read:

The commissioner shall establish a statewide assessment program to measure and evaluate on a continuing basis the academic achievements of students in grades 3 to 12 on the accountability standards set forth in section 6209 and in department rules implementing that section and other curricular requirements. The commissioner may elect to provide for the use of alternative measures of student achievement in grades 9 to 12. This assessment applies to students in the public elementary and secondary schools, in public charter schools, as that term is defined in section 2401, subsection 9, and in all private schools approved for tuition whose school enrollments include at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment. The assessment program must be adapted to meet the needs of children with disabilities as defined in section 7001, subsection 1-A or other students as defined under rules by the commissioner. The assessment program may not include the use of the standardized test known as "the SAT" as a method for assessing student performance.