

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

SECOND SPECIAL SESSION
September 29, 2021

SECOND REGULAR SESSION
January 5, 2022 to May 9, 2022

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 29, 2021

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 8, 2022

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

Augusta, Maine
2022

CHAPTER 124
H.P. 1362 - L.D. 1841

Resolve, Regarding Legislative Review of Portions of Chapter 283: Newborn Bloodspot Screening Rule, Section 14, a Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 283: Newborn Bloodspot Screening Rule, Section 14, a provisionally adopted major substantive rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective February 17, 2022.

CHAPTER 125
H.P. 1372 - L.D. 1851

Resolve, Regarding Legislative Review of Portions of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a Major Substantive Rule of the Department of Transportation

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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; 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

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective February 17, 2022.

CHAPTER 126
H.P. 610 - L.D. 842

Resolve, To Create the Commission To Examine Reestablishing Parole

Sec. 1. Commission established. Resolved: That the Commission To Examine Reestablishing Parole, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number of seats in the Legislature;

3. The Commissioner of Corrections or the commissioner's designee;

4. The Attorney General or the Attorney General's designee;

5. A district attorney, designated by an association representing prosecutors in the State;

6. A representative of an organization advocating for the interests of people who are incarcerated, appointed by the President of the Senate;

7. A member with experience in the fields of criminal sentencing or criminology or with experience in administering parole, appointed by the Speaker of the House;

8. A member who is an expert in criminal procedure, appointed by the President of the Senate;

9. A representative of an organization advocating for the interests of racial minorities, appointed by the Speaker of the House; and

10. An active or retired judge or justice, designated by the Chief Justice of the Supreme Judicial Court.

Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 120 days following the adjournment of the Second Regular Session of the 130th Legislature. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 120 days or more after the adjournment of the Second Regular Session of the 130th Legislature a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

Sec. 5. Duties. Resolved: That the commission shall examine parole as it currently operates in this State and in other states, with a specific focus on the parole law in Colorado, the benefits and drawbacks of parole,

different models of parole, how parole fits in with the overall framework of the Maine Criminal Code, the effect of parole on parolees, the costs and savings of instituting parole and the elements of a plan to implement parole.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing services to the commission, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Consultants. Resolved: That the commission may request that individuals with specific expertise in parole and the logistics of parole systems, including but not limited to the current members of the Department of Corrections, State Parole Board, serve as consultants to the commission.

Sec. 8. Report. Resolved: That, notwithstanding Joint Rule 353, no later than December 1, 2022, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Judiciary. The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation based on the recommendations of the commission to the First Regular Session of the 131st Legislature.

See title page for effective date.

CHAPTER 127

S.P. 626 - L.D. 1788

Resolve, To Rename Bridges in the Town of Milo for Veterans Who Died during the Vietnam War

Sec. 1. Bridge over Pleasant River in Milo named. Resolved: That the Department of Transportation shall designate Bridge 3244 on Pleasant Road, which crosses the Pleasant River in the Town of Milo and is currently known as the Pleasant River Bridge, the James Ellingson Memorial Bridge.

Sec. 2. Bridge over Piscataquis River in Milo named. Resolved: That the Department of Transportation shall designate Bridge 2867 on Routes 6, 11 and 16, which crosses the Piscataquis River in the Town of Milo and is currently known as the Old Toll Bridge, the Wayne Sangillo Memorial Bridge.

Sec. 3. Bridge over Sebec River in Milo named. Resolved: That the Department of Transportation shall designate Bridge 2572 on Route 16, which