

# 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.**

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**Augusta, Maine**  
**2022**

crosses the Sebec River in the Town of Milo and is currently known as the East Opening Bridge, the Henry "Butch" Heal, Jr. Memorial Bridge.

See title page for effective date.

**CHAPTER 128**  
**S.P. 657 - L.D. 1839**

**Resolve, To Name a Bridge in the Town of Unity the Alton "Mac" McCormick Memorial Bridge**

**Sec. 1. Unity Bridge renamed. Resolved:** That the Department of Transportation shall designate Bridge 5228 on U.S. Route 202 and State Route 9 in the Town of Unity, currently known as Unity Bridge, the Alton "Mac" McCormick Memorial Bridge.

See title page for effective date.

**CHAPTER 129**  
**H.P. 1363 - L.D. 1842**

**Resolve, Regarding Legislative Review of Portions of Chapter 120: Release of Data to the Public, a Major Substantive Rule of the Maine Health Data Organization**

**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 120: Release of Data to the Public, a provisionally adopted major substantive rule of the Maine Health Data Organization 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 March 16, 2022.

**CHAPTER 130**  
**H.P. 1375 - L.D. 1865**

**Resolve, Regarding Legislative Review of Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services**

**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 Chapter 34: Child Care Provider (Child Care Facilities and Family Child Care Providers) Background Check Licensing Rule, a provisionally adopted major substantive rule of the Department of Health and Human Services, Office of Child and Family Services 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 March 16, 2022.

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**CHAPTER 131**

**S.P. 672 - L.D. 1912**

**Resolve, To Rename 3 Bridges in Brownville and Brownville Junction**

**Sec. 1. Bridge over Pleasant River in Brownville named. Resolved:** That the Department of Transportation shall designate Bridge 923 on Church Street, which crosses the Pleasant River in the Town of Brownville and is currently known as the Brownville Bridge, the Stanley Smith Larson Memorial Bridge.

**Sec. 2. Bridge over Pleasant River in Brownville Junction named. Resolved:** That the Department of Transportation shall designate Bridge 3222 on Route 11, which crosses the Pleasant River in Brownville Junction in the Town of Brownville and is currently known as the Brownville Junction Bridge, the Edward Fredonia Stone Memorial Bridge.

**Sec. 3. Bridge over East Branch Pleasant River in Brownville named. Resolved:** That the Department of Transportation shall designate Bridge 3355 on Route 11, which crosses the East Branch Pleasant River in the Town of Brownville and is currently known as the Walker Bridge, the Elden Howard Cail Memorial Bridge.

See title page for effective date.

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**CHAPTER 132**

**H.P. 795 - L.D. 1080**

**Resolve, Directing the Department of Health and Human Services To Update the Rights of Recipients of Mental Health Services**

**Sec. 1. Department of Health and Human Services to update the rights of recipients of mental health services. Resolved:** That, by July 1, 2025, the Department of Health and Human Services shall by rule update the rights of recipients of mental health services pursuant to the Maine Revised Statutes, Title 34-B, sections 3003 and 15002. Notwithstanding the rule-making requirements of Title 34-B, section 3003, subsection 4 and section 15002, subsection 7, rules adopted pursuant to this resolve are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

The Department of Health and Human Services shall comply with the following requirements prior to adopting the updates to the rules as required by this section:

1. By September 1, 2022, the department shall submit to the Joint Standing Committee on Health and Human Services a work plan for developing and promulgating these rule changes and ensuring stakeholder engagement prior to the drafting of the rule changes. Stakeholders must include, but are not limited to, consumers of mental health services, advocates for consumers of mental health services, providers of mental health services and health care systems in the State.

2. Beginning January 1, 2023 and every 6 months thereafter until provisional rule changes are adopted under this section, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its progress toward compliance with this resolve.

See title page for effective date.

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**CHAPTER 133**

**H.P. 1429 - L.D. 1921**

**Resolve, Authorizing the State To Convey to the Passamaquoddy Tribe the State's Interest in a Parcel of Land in the Town of Meddybemps**

**Sec. 1. Authority to convey state land. Resolved:** That, notwithstanding any provision of law to the contrary, the State may transfer a certain parcel of land described in section 2 to the Passamaquoddy Tribe, subject to such terms and conditions described in sections 3 to 6.

**Sec. 2. Description of land transferred. Resolved:** That the land authorized to be conveyed pursuant to this resolve is a parcel of land of approximately 1.08 acres located on the northern side of State Route 191 in Meddybemps, Washington County, described in a deed recorded in the Washington County Registry of Deeds, Book 2679, Page 152.

**Sec. 3. Land subject to terms and conditions. Resolved:** That the State may convey the parcel described in section 2 upon such terms and conditions as the Commissioner of Environmental Protection considers appropriate and necessary to ensure access to the property transferred, compliance with encumbrances of record and inclusion of any new restrictions determined necessary by the Department of Environmental Protection or the United States Environmental Protection Agency.