

# 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**

**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.

**Sec. 4. Land to be transferred as is. Resolved:** That the land described in section 2 must be transferred by release deed "as is" with no representations or warranties as to title, subject to any and all terms, conditions, encumbrances, restrictions and liens of record, including those described in section 3.

**Sec. 5. Release of liability for historical contamination. Resolved:** That the Passamaquoddy Tribe's compliance with the terms, conditions, encumbrances and restrictions described in section 3 releases the Passamaquoddy Tribe of any state environmental contamination claims, including natural resource damage claims, that have or in the future may accrue to the State or its agencies as a result of the historic contamination of the land by parties other than the Passamaquoddy Tribe.

**Sec. 6. Repeal. Resolved:** That sections 1 to 4 of this resolve are repealed 5 years from its effective date.

See title page for effective date.

**CHAPTER 134**

**H.P. 1307 - L.D. 1756**

**Resolve, Authorizing the Department of Agriculture, Conservation and Forestry To Convey Certain Land in Penobscot County**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands may sell, lease or exchange lands with the approval of the Legislature in accordance with Title 12, sections 1814, 1837 and 1851; and

**Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands holds a common and undivided interest in 2 adjacent sections totaling an approximately 2,043-acre parcel of land in T. 4, R. 8 in Penobscot County, which constitutes approximately 1,624 acres of state ownership, a majority of both sections; and

**Whereas,** due to lack of good public access in T. 4, R. 8, it will benefit the people of Maine to sell interest in the parcel for cash to purchase alternative lands

within Penobscot County that can be managed for public benefits such as recreational access, wildlife habitat and sustainable timber harvest; and

**Whereas,** the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands requests legislative approval to negotiate the sale of lands in a timely fashion; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized, but not directed, to convey interest in certain land in T. 4, R. 8 in Penobscot County. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may, by quitclaim deed without covenant, convey in accordance with this section interest in a parcel of land totaling approximately 2,043 acres based on shares held in common and undivided interest in T. 4, R. 8 in Penobscot County, the total being held in 2 sections, with the first constituting an approximate amount of 1,868 acres based on an approximate 79% share and the 2nd based on an approximate 85% share of an approximate 175-acre parcel, together with all appurtenant rights and easements located on that property. The director may partition the parcels prior to conveyance. The director may convey interest in the parcels for appraised fair market value as determined by an independent assessment of the timber and other values to any holder of common and undivided interest in either section of land or to a 3rd-party intermediary that is required to immediately convey the property to Baxter State Park. The director may convey interest in the parcels to Baxter State Park for an amount determined by the director and the park to be in the public interest.

See title page for effective date.

**CHAPTER 135**

**S.P. 430 - L.D. 1348**

**Resolve, To Study the Impacts of Consumer Fireworks Use**

**Sec. 1. Stakeholder group. Resolved:** That, in accordance with the requirements of this section, the State Fire Marshal shall convene a stakeholder group to review matters relating to the impacts of consumer fireworks use.

1. The State Fire Marshal shall, at a minimum, include as members of the stakeholder group:
  - A. The Commissioner of Public Safety or the commissioner's designee;
  - B. The Commissioner of Agriculture, Conservation and Forestry or the commissioner's designee;
  - C. The Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry or the director's designee;