

# 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**

**CHAPTER 146  
H.P. 1392 - L.D. 1882**

**Resolve, Directing the  
Department of Health and  
Human Services To Review the  
Requirements for Certification  
of Micropigmentation  
Practitioners**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** cosmetology training schools and institutes are not offering training in micropigmentation in the State and this has resulted in few opportunities for licensure under the current rules; and

**Whereas,** this resolve is necessary to create opportunities for employment in the area of micropigmentation; 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. Evaluation. Resolved:** That the Department of Health and Human Services shall review and evaluate the training and board certification requirements for engaging in the practice of micropigmentation. The review and evaluation must address how to increase access to the field of micropigmentation, including by reducing the number of training hours required under the Maine Revised Statutes, Title 32, section 4313. By November 2, 2022, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the results of the review and evaluation. The joint standing committee may report out a bill to the First Regular Session of the 131st Legislature based on the report.

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

Effective April 10, 2022.

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**CHAPTER 147  
H.P. 462 - L.D. 626**

**Resolve, To Direct the  
Department of Agriculture,  
Conservation and Forestry To  
Develop Recommendations  
Regarding Nonwater-  
dependent Floating Structures  
on Maine's Waters**

**Sec. 1. Department of Agriculture, Conservation and Forestry to develop recommendations regarding nonwater-dependent floating structures on the State's waters. Resolved:** That the Department of Agriculture, Conservation and Forestry shall establish an interagency working group to develop recommendations, including suggested legislation, to define and regulate nonwater-dependent floating structures on coastal and inland waters. The department shall consult with the Department of Inland Fisheries and Wildlife and other state and federal agencies as needed and seek input from a statewide municipal association and a statewide harbor masters association that represents Maine harbor masters. The department shall submit a report with findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters no later than January 1, 2024. The joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters may submit a bill to the Second Regular Session of the 131st Legislature based on the subject matter of the report.

See title page for effective date.

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**CHAPTER 148  
S.P. 739 - L.D. 2028**

**Resolve, Directing the Family  
Law Advisory Commission To  
Develop Options To Improve  
Preliminary Injunctions in  
Judicial Separation and  
Divorce Actions**

**Sec. 1. Preliminary injunctions in judicial separation and divorce actions. Resolved:** That the Family Law Advisory Commission, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 52-A, shall review the elements of preliminary injunctions in judicial separation and divorce actions in Title 19-A and in the statutes of other states to analyze appropriate elements and when they should be applied. The commission shall develop options for improving preliminary injunctions in judicial separation

and divorce actions. The commission may include interested parties in the review, analysis and development of options. The commission shall submit a report, including any recommendations, to the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than December 15, 2022. The joint standing committee may report out legislation related to the report to the 131st Legislature in 2023.

See title page for effective date.

**CHAPTER 149**

**H.P. 1444 - L.D. 1934**

**Resolve, Changing the Identifying and Reporting Responsibilities and Extending the Reporting Deadline for the Identification of Places in the State with Offensive Names**

**Sec. 1. Resolve 2021, c. 98, §1, amended. Resolved:** That Resolve 2021, c. 98, §1 is amended to read:

**Sec. 1. Identification of offensive names for geographic features and other places. Resolved:** That the ~~Department of Agriculture, Conservation and Forestry Permanent Commission on the Status of Racial, Indigenous and Tribal Populations shall work jointly with the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations, jointly referred to in this resolve as "the department and commission,"~~ to review state law regarding offensive place names. The ~~department and commission~~ shall:

1. Review the Maine Revised Statutes, Title 1, section 1101 to determine and suggest any additional words to be included in the current definition of offensive name;
2. Establish a uniform process for renaming geographic features and other places that have offensive names; ~~and~~
3. Explore the most effective methods of identifying the individuals, entities and institutions in the State that profited or benefited in any manner from the global economy of enslavement; and
4. Create the Advisory Committee on Reconciliation in Place Names within the commission, and appoint members to the advisory committee, in order to accelerate the process by which offensive place names in the State are identified and replaced. This subsection governs the creation and activities of the advisory committee.

A. The commission may determine the number of members that will serve on the advisory committee.

B. The commission may determine the expertise of the members appointed to serve on the advisory committee, which may include representation from indigenous and tribal populations; members of the African American community; people with a deep knowledge of civil rights, anthropology or history; representatives of the Department of Agriculture, Conservation and Forestry, Office of the Attorney General or Maine Human Rights Commission; and members of the public.

C. The advisory committee shall consult with local community representatives, municipalities, historically impacted populations, state, federal and local governments and the public in order to broadly solicit, review and recommend to the commission changes that will facilitate the proactive and systematic development and review of name-change proposals.

D. The advisory committee shall establish a process to solicit and assist with proposals to the United States Board on Geographic Names to change offensive place names.

It is the intent of this resolve that the ~~department and commission~~ Permanent Commission on the Status of Racial, Indigenous and Tribal Populations carry out ~~their~~ its responsibilities within the existing resources of the ~~department and commission~~. The ~~department and commission~~ may solicit, accept and expend funds to cover any expenses that are in excess of existing resources.

By December 1, ~~2021~~ 2022, the ~~Department of Agriculture, Conservation and Forestry Permanent Commission on the Status of Racial, Indigenous and Tribal Populations~~ shall submit a report pursuant to this section, including any suggested legislation, to the ~~Joint Standing Committee on Judiciary~~ joint standing committee of the Legislature having jurisdiction over judiciary matters. The joint standing committee may submit a bill related to the report to the ~~Second First~~ Regular Session of the ~~130th~~ 131st Legislature.

See title page for effective date.

**CHAPTER 150**

**H.P. 1518 - L.D. 2036**

**Resolve, Clarifying the Conveyance of Land to the Passamaquoddy Tribe in the Town of Meddybemps**

**Sec. 1. Resolve 2021, c. 133, §1, amended. Resolved:** That Resolve 2021, c. 133, §1 is amended to read:

**Sec. 1. Authority to convey state land. Resolved:** That, notwithstanding any provision of law to