

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 162
H.P. 1498 - L.D. 2016

**Resolve, To Implement the
Crisis Response Services
Recommendations Identified
Pursuant to Resolve 2021,
Chapter 29**

Sec. 1. Working group to develop policies and procedures related to calls for crisis response services. Resolved: That the Public Utilities Commission, Emergency Services Communication Bureau shall convene a working group to develop policies and procedures to address the screening and transferring of calls for crisis response services. The working group, at a minimum, consists of the following members:

1. The director of the Emergency Services Communication Bureau within the Public Utilities Commission or the director's designee;
2. The director of the Office of Behavioral Health within the Department of Health and Human Services or the director's designee;
3. The Director of Maine Emergency Medical Services within the Department of Public Safety or the director's designee;
4. One member representing law enforcement;
5. One member who provides emergency medical services;
6. One member from a municipal public safety answering point;
7. One member from a county public safety answering point;
8. One member from a state public safety answering point;
9. One member from a dispatch-only center;
10. One member who provides mental health crisis services; and
11. One member who provides community mental health services.

As used in this resolve, "dispatch-only center" means an emergency communications center that does not receive 911 calls directly and performs only dispatch functions.

Sec. 2. Working group duties. Resolved: That the working group convened pursuant to section 1 shall, at a minimum, determine the appropriate procedures for communicating and integrating each component of delivering crisis response services when calls are received by public safety answering points or

dispatch-only centers, including, but not limited to, procedures for:

1. The receipt, acknowledgment and transfer of crisis response services calls;
2. The identification of the appropriate agency to receive calls;
3. The transfer of a caller to higher levels of behavioral health care including safeguards such as obtaining the caller's telephone number and location prior to transfer in the event of a disconnected call;
4. The assessment of scene safety and the coordination of responsibilities of public safety answering points and agencies providing crisis response services;
5. Transferring persons with disabilities to the Maine Crisis Line, or conferencing with those persons, via voice, text message, teletypewriter or other technologies, including primary and backup procedures; and
6. Accommodations such as interpreters to ensure universal access to services, including who is responsible for providing such accommodations and, when used, financial responsibility when calls are relayed or transferred.

The Public Utilities Commission may hire a consultant to assist the working group with the development of the procedures required by this section.

As used in this resolve, "crisis response services" means services offered to individuals experiencing mental health emergencies, emergencies relating to substance use disorder or other emergencies for which fire, emergency medical or law enforcement agency services are determined not to be required.

Sec. 3. Public Utilities Commission, Emergency Services Communication Bureau; proposed legislation. Resolved: That the Public Utilities Commission, Emergency Services Communication Bureau, in consultation with the Department of Public Safety, shall develop proposed legislation to implement the protocol and procedure recommendations for the delivery of crisis response services under the State's E-9-1-1 system as identified in the Emergency Services Communication Bureau report issued pursuant to Resolve 2021, chapter 29. The bureau shall provide the proposed legislation to the working group convened pursuant to section 1 and persons and entities affected by the proposal and allow at least 30 days for the submission of comments.

Sec. 4. Report; draft legislation. Resolved: That, on or before February 1, 2023, the Public Utilities Commission shall submit a report detailing the results of the working group's activities under this resolve along with the proposed legislation developed under section 3, together with all comments received by the Public Utilities Commission, Emergency Services

Communication Bureau, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The committee may report out related legislation to the 131st Legislature in 2023.

See title page for effective date.

**CHAPTER 163
H.P. 1433 - L.D. 1926**

Resolve, Regarding Legislative Review of Portions of Chapter 301: Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel, a Major Substantive Rule of the Maine Commission on Indigent Legal 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 portions of Chapter 301: Fee Schedule and Administrative Procedures for Payment of Commission Assigned Counsel, a provisionally adopted major substantive rule of the Maine Commission on Indigent Legal 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 April 20, 2022.

**CHAPTER 164
H.P. 222 - L.D. 318**

Resolve, To Direct the Office of the Public Advocate To Study Reforming Maine's System of Retail Electricity Supply To Provide More Options to Maine Customers and Support Maine's Climate Goals

Sec. 1. Public Advocate to conduct study on reform of retail electricity supply. Resolved: That the Office of the Public Advocate shall conduct a study of options for reforming the State's current system of retail electricity supply in ways that will provide greater competition among retail electricity supply providers and more options and protections for customers, including access to renewable and clean energy supply options. The office shall examine options relating to the State's standard offer system for facilitating the achievement of the State's climate goals and beneficial electrification. In conducting the study, the Public Advocate shall consult with the Public Utilities Commission, the Governor's Energy Office and stakeholders, including but not limited to advocates for low-income persons, appropriate representatives of the federally recognized Indian tribes in this State, representatives of disadvantaged groups, representatives of small and large businesses and industries, advocates for the environment and renewable energy, representatives of retail electricity supply providers and representatives of transmission and distribution utilities. The Public Advocate may also consult with other agencies and organizations, including but not limited to the Office of the Attorney General and the Efficiency Maine Trust. For the purposes of this resolve, "beneficial electrification" means electrification of a technology that results in reduction in the use of a fossil fuel, including electrification of a technology that would otherwise require energy from a fossil fuel, and that provides a benefit to a utility, a ratepayer or the environment, without causing harm to utilities, ratepayers or the environment, by improving the efficiency of the electricity grid or reducing consumer costs or emissions, including carbon emissions.

Sec. 2. Authority to retain consultant with regard to study on reform of retail electricity supply. Resolved: That, in conducting the study under section 1, the Public Advocate may retain one or more consultants, including, to the greatest extent possible, persons from academic or research institutions in the State for analysis and report preparation.

Sec. 3. Issues to be reviewed as part of study on reform of retail electricity supply. Resolved: That, in conducting the study under section 1, the Public Advocate shall ensure that, at a minimum, the following issues are examined.