

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

7. One member with lived experience with substance use disorder, appointed by the Speaker of the House;

8. One member representing primary health care providers, appointed by the President of the Senate;

9. One member representing hospital emergency department providers, appointed by the Speaker of the House;

10. One member representing an organization whose primary mission is the protection of civil liberties, appointed by the President of the Senate;

11. One member representing a statewide organization representing physicians, appointed by the Speaker of the House; and

12. One member representing the Judicial Department, appointed 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 study committee.

Sec. 4. Appointments; convening of study committee. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. 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 study committee. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the study committee to meet and conduct its business.

Sec. 5. Duties. Resolved: That the study committee shall:

1. Review services and processes currently available in this State for persons with substance use disorder;

2. Review options offered in other jurisdictions for persons with substance use disorder, including but not limited to judicial orders for involuntary treatment as well as other treatment options that include some form of leverage to ensure adherence to treatment, and review outcomes;

3. Review the constitutional and other rights of persons with substance use disorder and how other jurisdictions protect those rights; and

4. Develop recommendations for treatment options for persons with substance use disorder, including implementation plans.

Sec. 6. Staff assistance. Resolved: That the Legislative Council shall provide necessary staffing

services to the study committee, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

Sec. 7. Report. Resolved: That, no later than November 2, 2022, the study committee shall submit a report that includes a summary of its activities and recommendations, including suggested legislation, to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Judiciary for presentation to the First Regular Session of the 131st Legislature.

Sec. 8. Outside funding. Resolved: That the study committee shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds from outside sources for the costs to the Legislature of the Committee To Study Court-ordered Treatment for Substance Use Disorder.

| OTHER SPECIAL REVENUE FUNDS | 2021-22 | 2022-23 |
|-----------------------------------|---------|---------|
| Personal Services | \$660 | \$660 |
| All Other | \$840 | \$1,090 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | \$1,500 | \$1,750 |

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

Effective May 8, 2022.

CHAPTER 184

S.P. 408 - L.D. 1240

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals

Sec. 1. Commission established. Resolved: That the Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and

Short-term Rentals, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 17 members appointed as follows:

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

2. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

3. The Director of the Maine State Housing Authority or the director's designee;

4. One member representing the Office of the Governor, appointed by the Governor;

5. Five public members, one representing a statewide municipal association, one representing a statewide organization that advocates for affordable housing, one representing statewide agricultural interests, one with expertise in transportation matters and one who is in the building trades, appointed by the President of the Senate; and

6. Six public members, one representing a regional planning association or a statewide organization that advocates for smart growth policies and projects, one representing the real estate industry, one who is a residential developer, one representing an organization that advocates for low-income or middle-income renters or homeowners, one representing a local or statewide organization promoting civil rights that has racial justice or racial equity as its primary mission and one representing a nonprofit organization with expertise in strategies for building affordable homes for ownership, appointed by the Speaker of the House.

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, notwithstanding Joint Rule 353, all appointments must be made no later than 30 days following the effective date of this resolve. 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 30 days or more after the effective date of this resolve 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. To the greatest extent practicable, the appointing authorities

shall appoint the persons they appointed to the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions under Resolve 2021, chapter 59.

Sec. 5. Duties. Resolved: That the commission is authorized to meet 6 times and shall:

1. Review data on housing shortages in the State for low-income and middle-income households and data on the conversion of housing units to short-term rentals in the State;

2. Review state laws that affect the local regulation of land use and short-term rentals and consider whether they fulfill the goals set forth in the Maine Revised Statutes, Title 30-A, section 4312, subsection 3, including but not limited to the promotion of affordable housing; promotion of an economic climate that increases job opportunities and overall economic well-being; and protection of the State's water resources and other critical natural resources;

3. Review efforts in other states and municipalities to address housing shortages through changes to land use restrictions and regulation of short-term rentals;

4. Consider strategies for affordable home ownership through changes to land use restrictions; and

5. Consider measures that would encourage municipalities to increase available housing, including but not limited to municipal incentives and statewide regulation of short-term rentals.

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

Sec. 7. Report. Resolved: That, no later than November 2, 2022, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over housing matters.

Sec. 8. Outside funding. Resolved: That the commission shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this resolve, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

Sec. 9. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding 0444

Initiative: Allocates funds for the costs to the Legislature of the Commission To Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals.

| | | |
|------------------------------------|----------------|----------------|
| OTHER SPECIAL REVENUE FUNDS | 2021-22 | 2022-23 |
| Personal Services | \$0 | \$880 |
| All Other | \$0 | \$1,370 |
| OTHER SPECIAL REVENUE | \$0 | \$2,250 |
| FUNDS TOTAL | | |

See title page for effective date.

CHAPTER 185

H.P. 1166 - L.D. 1569

Resolve, Establishing the Commission To Study the Role of Water as a Resource in the State of Maine

Preamble. Whereas, water is an invaluable resource for the people and businesses in this State; and

Whereas, the use of water in the State for various purposes has raised questions regarding the continuing availability and quality of water resources; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission To Study the Role of Water as a Resource in the State of Maine, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 16 members appointed as follows.

1. Four members appointed by the President of the Senate, including:
 - A. Two members of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
 - B. One member of the public residing in northern Maine; and
 - C. One member representing the interests of persons who bottle or package water for commercial sale.
2. Four members appointed by the Speaker of the House of Representatives, including:
 - A. Two members of the House of Representatives, including a member from each of the 2 parties holding the largest number of seats in the Legislature;
 - B. One member of the public residing in western Maine; and

C. One member representing the interests of businesses that use water in manufacturing or the provision of items or services for sale.

3. Eight members appointed by and agreed upon by both the President of the Senate and the Speaker of the House, including:

- A. One member representing the Office of Policy Innovation and the Future;
- B. Two members who are members of federally recognized Indian nations, tribes or bands in the State based on the joint recommendation of the tribal governments of the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe at Motahkomikuk, the Passamaquoddy Tribe at Sipayik and the Penobscot Nation. If the tribal governments do not make unanimous joint recommendations, the President of the Senate and the Speaker of the House shall appoint 2 members of a federally recognized Indian nation, tribe or band in the State;
- C. One member representing the Department of Health and Human Services, Maine Center for Disease Control and Prevention, division of environmental health, drinking water program;
- D. One member representing the interests of municipal water utilities;
- E. One member representing the State Geologist;
- F. One member representing organizations involved in protection of the environment; and
- G. One member representing the Office of the Attorney General with an interest in water rights law.

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 30 days following the effective date of this resolve. 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 30 days or more after the effective date of this resolve 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 study issues associated with the role of water resources in the State and the nature and extent of infrastructure involved in the use and delivery of water resources including: