

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2023

or encumbered for another purpose, to exceed \$40,000,000 \$50,000,000. Any balance in the Loan Insurance Reserve is appropriated for this purpose.

See title page for effective date.

**CHAPTER 423
H.P. 37 - L.D. 62**

An Act to Require Antipinch Sensors on School Bus Doors

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §2304, sub-§2, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. One door on the right side near the front for ordinary exits and entrances, which must be equipped with technology to prevent the door from closing on a person's limb or other body part if the school bus was manufactured in 2025 or later; and

See title page for effective date.

**CHAPTER 424
H.P. 55 - L.D. 87**

An Act to Permit Emergency Funding for Food Banks When a State of Emergency Is Declared

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §1532, sub-§9 is enacted to read:

9. Emergency funding for nonprofit food banks. During a state of emergency declared in accordance with Title 37-B, section 742, subsection 1 that exceeds 10 days, the Governor, in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry, may distribute up to \$400,000 from the stabilization fund to nonprofit entities, including food banks, food pantries and soup kitchens, that provide or distribute food to low-income, indigent or unemployed individuals or households without charge. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to prescribe the manner in which the funds distributed under this subsection must be disbursed. The commissioner may leverage funds distributed under this subsection to match any relevant federal funding available for qualifying food programs in the State. Rules adopted pursuant to this subsection are routine technical rules as described in chapter 375, subchapter 2-A. The Governor may not suspend under Title 37-B,

section 742, subsection 1, paragraph C, subparagraph (1) rules adopted under this subsection.

See title page for effective date.

**CHAPTER 425
H.P. 96 - L.D. 155**

An Act Regarding Community-based Services for Youth Involved in the Juvenile Justice System

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §19132, sub-§9, as enacted by PL 2019, c. 450, §7, is amended to read:

9. Program implementation and oversight. Initiate, implement and oversee programs, policies and services consistent with the purposes of this chapter; ~~and~~

Sec. 2. 5 MRSA §19132, sub-§10, as enacted by PL 2019, c. 450, §7, is amended to read:

10. Maine Children's Cabinet Early Childhood Advisory Council. Oversee the Maine Children's Cabinet Early Childhood Advisory Council, established under section 24051, and direct a representative of the cabinet to meet at least once yearly with the Maine Children's Cabinet Early Childhood Advisory Council and consult with one or more state-designated groups representing youth issues regarding goals selected by the Maine Children's Cabinet Early Childhood Advisory Council; and

Sec. 3. 5 MRSA §19132, sub-§11 is enacted to read:

11. Coordination across state agencies. Establish a working group that includes the Department of Corrections and the Department of Health and Human Services to promote coordinated policies, finances, programs and service delivery systems to support juveniles involved in the juvenile justice system. The working group shall conduct a review of other states in regard to best practices and organizational structures for juvenile justice services.

Sec. 4. 34-A MRSA §7009 is enacted to read:

§7009. Publication of data

By February 15, 2024, the department shall develop and publish on its publicly accessible website data regarding the number of juveniles involved in the juvenile justice system. The data must be updated monthly and include information regarding the numbers of juveniles referred, diverted, detained, placed on probation, ordered to serve a period of confinement and committed to the department. The department shall

deidentify the data and remove any potential personal identifying information of the juveniles. The data must be organized by region of the State and broken down by age, gender and race.

Sec. 5. 34-A MRSA §7010 is enacted to read:

§7010. Reports regarding juvenile justice system

1. Annual report regarding reducing detention rates and expanding community-based alternatives. By February 15th of each year, the department shall provide an annual report in person to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters. The report must include detailed information regarding:

A. The efforts of the department and the Department of Health and Human Services to offer diversion options for juveniles involved in the juvenile justice system and to reduce the rates of detention and commitment of youths across the State;

B. The successes and challenges of the department and the Department of Health and Human Services in expanding access to community-based therapeutic services or programs for the purpose of diverting juveniles involved in the juvenile justice system from detention and commitment;

C. A summary of the Long Creek Youth Development Center, including, but not limited to, the number of staff as of the December 1 preceding the report, staffing levels and the challenges at the facility;

D. The strategic plan developed by the department and the Department of Health and Human Services and the Department of Corrections in consultation with the task force established by the Juvenile Justice Advisory Group;

E. The specific juvenile-focused community-based programs and services receiving funding from the department, including the amount of funding received by the community-based organizations providing the programs and services;

F. The successes and challenges of the department in expanding juvenile-focused community-based programs and services; and

G. Any other information the department determines is relevant to the report.

2. Annual report regarding possible locations for secure, therapeutic residences for detained and committed youths. By January 1st of each year, the department shall provide an annual report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the status of the identification and development of 2 small, secure, therapeutic residences for youths for the purpose of providing detention and confinement for

committed youths in a therapeutic setting. These 2 residences shall provide for a maximum occupancy of 20 youths. The report must include rationale for the consideration of each identified residence, as well as an estimate on the number of youths that will be served at the residence, an estimate of the cost for construction and operation of the residence and staffing options for providing services at the residence to youths living at the residence, including therapeutic programs and educational services.

Sec. 6. PL 2021, c. 398, §KKKK-4 is repealed.

Sec. 7. PL 2021, c. 398, §KKKK-5 is repealed.

See title page for effective date.

CHAPTER 426

H.P. 105 - L.D. 164

An Act Regarding the Funding of Lake Water Quality Restoration and Protection Projects

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §480-N, as amended by PL 1989, c. 890, Pt. A, §40 and Pt. B §§79 and 80, is further amended to read:

§480-N. Lake Water Quality Restoration and Protection Fund

1. Fund purposes and administration. There is established a nonlapsing Lake Water Quality Restoration and Protection Fund, referred to in this section as "the fund," from which the commissioner may pay up to 50% of the eligible costs incurred in a lake water quality restoration or protection project, except that eligible costs for projects addressing technical assistance, watershed surveys, watershed plan development, public education or research issues may be paid up to 100%. Eligible costs include all costs except those related to land acquisition, legal fees and debt service. ~~All money~~ The commissioner may use money credited to ~~that the~~ fund ~~must be used by the commissioner for only for the~~ purposes described in subsections 3, 4 and 6 and for projects to improve or maintain the quality of lake waters in the State ~~and for no other purpose.~~ The commissioner may authorize the State Controller to draw a warrant for such funds as may be necessary to pay the lawful expenses of the lake water quality restoration or protection project, up to the limits of the money duly authorized. Any balance remaining in the fund must continue without lapse from year to year and remain available only for the purpose purposes for which the fund is established and for no other purpose.

2. Money Prohibited expenditures. Money in the Lake Restoration and Protection Fund may not be