

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

SECOND REGULAR SESSION
January 3, 2024 to May 10, 2024

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 9, 2024

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

Augusta, Maine
2024

All Other	\$0	\$500
OTHER SPECIAL REVENUE	\$0	\$500
FUNDS TOTAL		

See title page for effective date.

CHAPTER 659

H.P. 1193 - L.D. 1863

An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities

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

Sec. 1. 34-A MRSA §1402, sub-§5, as amended by PL 2021, c. 620, §4, is further amended to read:

5. Grievance procedures. The commissioner shall establish procedures for hearing grievances of clients. The commissioner shall establish a separate grievance process for addressing complaints by prisoners about their medical and mental health treatment as well as a separate grievance process for addressing complaints regarding compliance with the standards established pursuant to sections 1208, 1208-A and 1208-B. The commissioner shall track data for all grievances filed by prisoners about their medical or mental health treatment and shall publish monthly on the department's publicly accessible website the data tracked pursuant to this subsection in a manner that does not violate the confidentiality requirements of section 1216 or any other provision of state or federal law.

Sec. 2. 34-A MRSA §3036-A, sub-§10, as amended by PL 2023, c. 399, §1, is further amended to read:

10. Terminally ill or incapacitated prisoner. With the consent of the prisoner, the commissioner may transfer a prisoner committed to the department from a correctional facility to supervised community confinement without meeting the eligibility requirements of subsection 2, paragraphs B and C and without meeting the criteria or fulfilling the process provided for under subsection 2-A if the department's director of medical care has determined that the prisoner has a terminal or severely incapacitating medical condition or has a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition and that care outside a correctional facility is medically appropriate. Except as set out in this subsection, the prisoner must live in a hospital or other appropriate care facility, such as a nursing facility, residential care facility or a facility that is a licensed hospice program pursuant to Title 22,

section 8622, approved by the commissioner. As approved by the commissioner, the prisoner may receive hospice services from an entity licensed pursuant to Title 22, chapter 1681, subchapter 1 or other care services provided by an entity approved by the commissioner and, subject to approval by the commissioner, may live at home while receiving these services. The commissioner may exempt a prisoner transferred to supervised community confinement pursuant to this subsection from any mandatory condition under subsection 3 that the commissioner determines to be inapplicable. The prisoner shall provide any information pertaining to the prisoner's medical condition or care that is requested by the commissioner at any time while the prisoner is on supervised community confinement. If the commissioner determines that the prisoner has failed to fully comply with a request or if at any time the department's director of medical care determines that the prisoner does not have a terminal or severely incapacitating medical condition or a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition or that care outside a correctional facility is not medically appropriate, the commissioner shall revoke the transfer to supervised community confinement.

Sec. 3. 34-A MRSA §3036-A, sub-§12, as enacted by PL 2021, c. 376, §6, is amended to read:

12. Information for prisoners. The department shall make available to all prisoners written information about supervised community confinement, including eligibility requirements, the application process and the criteria and process for determining whether a prisoner eligible for transfer to supervised community confinement may be approved for transfer. The department shall include information about the determination and approval process for prisoners who have a terminal or severely incapacitating medical condition or have a worsening prognosis that is likely to result in a terminal or severely incapacitating medical condition and for whom care outside a correctional facility is medically appropriate. The department shall publish this information on its publicly accessible website.

Sec. 4. 34-A MRSA §3036-A, sub-§13, as amended by PL 2023, c. 399, §2, is further amended to read:

13. Data tracking. The department shall track data for all prisoners who apply for supervised community confinement and approval, denial and, if approved, completion of the program. The department also shall track data for all prisoners who are transferred to supervised community confinement under subsection 10. Such data must include, but is not limited to, demographic data regarding race and ethnicity, gender, age and convictions leading to the prisoner's current incarceration. The department shall publish monthly on its publicly accessible website the data tracked pursuant to

this subsection in a manner that does not violate the confidentiality requirements of section 1216 or any other provision of state or federal law.

See title page for effective date.

CHAPTER 660

S.P. 799 - L.D. 1963

An Act Regarding the Future of Renewable Energy Transmission in Northern Maine

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

Sec. 1. 12 MRSA §685-B, sub-§2-D is enacted to read:

2-D. Transmission line or lines under Northern Maine Renewable Energy Development Program. A transmission line or lines developed under the Northern Maine Renewable Energy Development Program pursuant to Title 35-A, section 3210-I, subsection 2 and proposed within unorganized or deorganized areas of the State is reviewed and permits are issued by the Department of Environmental Protection under Title 38, section 489-A-1.

Sec. 2. 35-A MRSA §3201, sub-§8-C is enacted to read:

8-C. Employer and employee harmony agreement. "Employer and employee harmony agreement" means an agreement between an employer and one or more labor organizations representing or seeking to represent the employer's employees that includes:

A. A guarantee against strikes, lockouts and similar disruptions;

B. Mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work and safety and health; and

C. Mutually binding procedures for resolving labor disputes.

Sec. 3. 35-A MRSA §3210-I, sub-§1, ¶B, as enacted by PL 2021, c. 380, §1 and reallocated by RR 2021, c. 1, Pt. A, §38, is amended to read:

~~B. Develop Plan for and develop~~ the transmission infrastructure necessary for the State to expeditiously meet its renewable energy and climate goals using, to the extent practicable, renewable energy resources located in the State;

Sec. 4. 35-A MRSA §3210-I, sub-§1, ¶D, as enacted by PL 2021, c. 380, §1 and reallocated by RR 2021, c. 1, Pt. A, §38, is amended to read:

~~D. Promote energy equity, high-quality jobs and the development of a skilled workforce,~~ with particular consideration given to the economic circumstances and opportunities in the State's socially vulnerable counties and communities. For the purposes of this paragraph, "socially vulnerable counties and communities" means those counties and communities in the State containing populations that are disproportionately burdened by existing social inequities or lack the capacity to withstand new or worsening burdens; ~~and~~

Sec. 5. 35-A MRSA §3210-I, sub-§1, ¶E, as enacted by PL 2021, c. 380, §1 and reallocated by RR 2021, c. 1, Pt. A, §38, is amended to read:

E. Recognize that, in advancing the renewable energy and climate policies and goals of the State, the near-term development of the transmission and other infrastructure necessary to reduce greenhouse gas emissions is in the public interest; ~~and~~

Sec. 6. 35-A MRSA §3210-I, sub-§1, ¶F is enacted to read:

F. In collaboration with the Governor's Energy Office, established in Title 2, section 9, seek to partner with other states, governmental entities or utilities within New England in the development of requests for proposals and the evaluation of proposals received in response to a request for proposals for a transmission line or lines under subsection 2 and renewable energy generation projects under subsection 3.

Sec. 7. 35-A MRSA §3210-I, sub-§2, as enacted by PL 2021, c. 380, §1 and reallocated by RR 2021, c. 1, Pt. A, §38, is amended to read:

2. Request for proposals; generation connection transmission line or lines. The commission shall issue a request for proposals for the development and construction of a ~~345 kilovolt double circuit generation connection line, or, in the commission's discretion, a transmission line or lines of greater capacity, to connect~~ transmission line or lines necessary to connect at least 1,200 megawatts of renewable energy resources located in northern Maine and developed pursuant to subsection 3 with the electric grid operated by the New England independent system operator, referred to in this section as "the ISO-New England system." The commission may issue preliminary requests for information from utilities and private developers or release draft requests for proposals or draft transmission services agreements to gather information to inform the program.

A. The proposals must be required to cover a contract term of 30 years, except that the commission may, in its discretion, approve a contract term of a different duration, and must include provisions for the construction, development and subsequent commercial operation of the transmission line or lines described in this subsection.