

# 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.**

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**Augusta, Maine**  
**2024**

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**RESOLVES OF THE STATE OF MAINE  
AS PASSED AT  
THE SECOND REGULAR SESSION OF THE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
2023**

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**CHAPTER 127  
H.P. 1407 - L.D. 2196**

**Resolve, to Authorize the Chief  
Justice of the Supreme Judicial  
Court to Arrange the  
Constitution of Maine to  
Incorporate Amendments  
Approved at the November  
2023 Referendum**

**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 Constitution of Maine, Article X, Section 6 requires the Chief Justice of the Supreme Judicial Court to arrange the Constitution of Maine and submit the arrangement to the Legislature once every 10 years, unless sooner authorized by the Legislature; and

**Whereas,** the Chief Justice performed this requirement in the spring of 2023; and

**Whereas,** in November 2023, 2 amendments to the Constitution of Maine were approved by the voters at referendum; and

**Whereas,** in order to ensure that the Constitution of Maine is as up to date as possible and avoid printing of versions of the Constitution of Maine that are incomplete and incorrect, it is necessary that the Chief Justice prepare an arrangement of the Constitution of Maine that includes the 2 amendments that were approved in November 2023; 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. Chief Justice authorized to prepare arrangement of Constitution of Maine reflecting changes approved at November 2023 referendum. Resolved:** That, pursuant to the Constitution of Maine, Article X, Section 6, the Chief Justice of the Supreme Judicial Court is authorized to arrange the Constitution of Maine and include in that arrangement the amendments to the Constitution of Maine approved by the voters at referendum in November 2023.

**Sec. 2. Amendments to be included in arrangement of Constitution of Maine. Resolved:** That the following constitutional resolutions approved by the voters at the November 2023 referendum must be included in the arrangement authorized pursuant to section 1:

1. Constitutional Resolution 2023, chapter 1: RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require All Provisions in the Constitution to Be Included in the Official Printing; and

2. Constitutional Resolution 2023, chapter 2: RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Timing of Judicial Review of the Determination of the Validity of Written Petitions.

**Sec. 3. Submission to Legislature. Resolved:** That the Chief Justice of the Supreme Judicial Court shall submit the arrangement authorized by this resolve to the Legislature no later than 30 days following the effective date of this resolve.

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

Effective February 8, 2024.

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**CHAPTER 128  
S.P. 861 - L.D. 2033**

**Resolve, Authorizing the  
Director of the Bureau of Parks  
and Lands to Convey a Parcel  
of Land in the Town of  
Woodstock**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands with the approval of the Legislature in accordance with the

Maine Revised Statutes, Title 12, section 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized to convey certain land in Woodstock. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may by quitclaim deed convey without covenant, on other terms and conditions as the director may direct, the State's interest in a 0.34-acre parcel on the Dolloff Road in Woodstock near Concord Pond identified as Parcel 2 of Parcel A on Sheet #5 of a survey recorded as Plan #1401 in the Oxford County Registry of Deeds. The cost of a survey of the property boundaries and recording costs may not be paid by the bureau.

See title page for effective date.

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**CHAPTER 129**

**H.P. 1405 - L.D. 2192**

**Resolve, to Ensure That the Independent Commission to Investigate the Facts of the Tragedy in Lewiston Has Necessary Authority to Discharge Its Fact-finding Mission**

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

**Whereas,** Governor Janet T. Mills, by executive order of November 9, 2023, established the Independent Commission to Investigate the Facts of the Tragedy in Lewiston; and

**Whereas,** the independent commission was established for the purpose of conducting a thorough and objective investigation into the facts and circumstances of what happened on that tragic night in Lewiston, the months that led up to it and the police response to it; and

**Whereas,** the families of the victims and all people of the State deserve to know the truth about what happened; and

**Whereas,** in order to fulfill its fact-finding mission, the independent commission requires the ability to issue subpoenas to compel the testimony of witnesses and the production of documents and have access to agency records that may not otherwise be subject to disclosure under state law; and

**Whereas,** this legislation needs to take effect before the expiration of the 90-day period in order for the independent commission to complete its work in a timely fashion; 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. Definitions. Resolved:** That, as used in this resolve, the following terms have the following meanings.

1. "Chair" means the chair of the independent commission.

2. "Independent commission" means the Independent Commission to Investigate the Facts of the Tragedy in Lewiston, established by executive order of Governor Janet T. Mills on November 9, 2023.

**Sec. 2. Issuance of subpoenas. Resolved:** That, by a majority vote of its members, the independent commission may issue subpoenas to compel the testimony of witnesses and the production of documents in accordance with this resolve.

**Sec. 3. Notice to witnesses. Resolved:** That a reasonable time before a witness testifies, a prospective witness must be notified of the investigation's subject matter and provided with a copy of this resolve. The information required by this section must be presented at the time of service of the subpoena.

**Sec. 4. Oaths. Resolved:** That all testimony of subpoenaed witnesses must be under oath administered by the chair or the chair's designee.

**Sec. 5. Testimony of witnesses under subpoena. Resolved:** That the independent commission's staff and its members may take testimony of witnesses under subpoena. All testimony of witnesses under subpoena must be taken in open session, except upon request of a witness or by a majority vote of the members of the independent commission, in which case testimony may be taken in executive session. Testimony may be taken in executive session upon a showing that confidentiality is necessary to fulfill the independent commission's fact-finding mission.

**Sec. 6. Transcripts of testimony of witnesses under subpoena. Resolved:** That the independent commission shall prepare a transcript of all testimony of witnesses taken under subpoena. A witness is entitled to obtain a copy of the transcript of the witness's own testimony, except that the independent commission may delay the release of a transcript until the independent commission determines that release will not compromise the integrity of its investigation.

**Sec. 7. Release of testimony under subpoena. Resolved:** That the independent commission, by a majority vote of its members, may release transcripts of witness testimony taken under subpoena, except that a transcript of the testimony may not be released without first affording the witness who gave the