

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

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 355: Coastal Sand Dune Rules, a provisionally adopted major substantive rule of the Department of Environmental Protection 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 February 29, 2024.

CHAPTER 131

S.P. 928 - L.D. 2183

Resolve, to Correct the Designation of a Bridge in Canaan to Be Named After Staff Sergeant Richard Gerald Salisbury

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

Whereas, Resolve 2023, chapter 2 named a bridge in the Town of Canaan for Staff Sergeant Richard Gerald Salisbury; and

Whereas, the wrong bridge was designated the Staff Sergeant Richard Gerald Salisbury Memorial Bridge, and this legislation corrects that erroneous designation; and

Whereas, it is imperative that this legislation take effect as soon as possible in order to timely expedite the renaming process; 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. Resolve 2023, c.2, §1, amended. Resolved: That Resolve 2023, c. 2, §1 is amended to read:

Sec. 1. Bridge in Canaan renamed. Resolved: That the Department of Transportation shall designate Bridge ~~6116~~ 2120 on ~~Moore's Mills Road~~ Main Street, which crosses Carrabassett Stream in the Town of Canaan and is currently known as the ~~Moore~~ Canaan Bridge, the Staff Sergeant Richard Gerald Salisbury Memorial Bridge.

Sec. 2. Retroactivity. Resolved: That this resolve applies retroactively to June 29, 2023.

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

Effective February 29, 2024.

CHAPTER 132

H.P. 1318 - L.D. 2056

Resolve, Designating Route 127 in Arrowsic the Private Merwin A. Delano, Jr. Memorial Highway

Sec. 1. Designate Route 127 in Arrowsic the Private Merwin A. Delano, Jr. Memorial Highway. Resolved: That the Department of Transportation shall designate the portion of Route 127 that is located in the Town of Arrowsic the Private Merwin A. Delano, Jr. Memorial Highway.

See title page for effective date.

CHAPTER 133

H.P. 1392 - L.D. 2177

Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human 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 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human 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 March 6, 2024.

CHAPTER 134

S.P. 830 - L.D. 2009

Resolve, to Establish a Stakeholder Group to Address the Problem of Long Stays for Children and Adolescents in Hospital Emergency Departments

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

Whereas, children and adolescents remain in hospital emergency departments awaiting appropriate community and residential placements long after they are medically stable; and

Whereas, the work to address this issue is urgent and must start immediately; 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. Department of Health and Human Services to convene stakeholder group to address long stays of children and adolescents in hospital emergency departments. Resolved: That the Department of Health and Human Services, referred to in this resolve as "the department," shall convene a stakeholder group to address the problem of children and adolescents experiencing long stays in hospital emergency departments after the children and adolescents are medically stable and no longer require medical

treatment but appropriate community or residential placements are not available.

1. Membership. The Commissioner of Health and Human Services shall appoint the members of the stakeholder group. Members must include:

- A. The child welfare services ombudsman or the ombudsman's designee;
- B. The Attorney General or the Attorney General's designee;
- C. A member of staff from the department's Office of Child and Family Services including child welfare services;
- D. A member of staff from the department's Office of Behavioral Health;
- E. A member of staff from the department's Office of Behavioral Health, children's behavioral health services;
- F. A representative of Disability Rights Maine;
- G. A representative of hospitals;
- H. An emergency medical physician;
- I. A representative of a statewide organization representing hospitals;
- J. A representative of a national organization advocating for individuals with mental illness;
- K. Parents with experience of having a child stay in a hospital emergency department for a long period after being medically stabilized; and
- L. Other relevant interested parties.

2. Duties and recommendations. The stakeholder group shall examine the problem of children and adolescents experiencing long stays in hospital emergency departments after the children and adolescents are medically stable and no longer require medical treatment but appropriate community or residential placements are not available. The stakeholder group shall examine and make recommendations relating to the following:

- A. An appropriate timeline for establishing a secure children's psychiatric residential treatment facility in the State;
- B. Strategies to limit the length of stay in hospital emergency departments for children and adolescents who have been medically cleared for discharge;
- C. The establishment of an independent children's behavioral health advocate; and
- D. A review of hospital assessment and discharge policies.