



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1588

H.P. 1177

House of Representatives, April 27, 2021

**Resolve, To Convene a Working Group To Identify and Find
Replacements for Certain Stigmatizing References throughout the
Maine Revised Statutes and Government Publications**

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by Representatives: EVANGELOS of Friendship, HARNETT of Gardiner,
NEWELL of the Passamaquoddy Tribe, WARREN of Hallowell, Senator: CARNEY of
Cumberland.

1 **Sec. 1. Convene working group. Resolved:** That the Department of Corrections
2 shall convene a working group, referred to in this resolve as "the working group," to review
3 the use of the following terms in the Maine Revised Statutes and executive branch rules,
4 forms, policies and publications: "convict," "offender," "inmate," "prisoner" and "drug
5 user," collectively referred to in this resolve as "the terminology."

6 **Sec. 2. Membership. Resolved:** That the commissioners of the Department of
7 Corrections, the Department of Public Safety, the Department of Agriculture, Conservation
8 and Forestry and the Department of Health and Human Services shall each appoint at least
9 one person as a member of the working group. A member of the public with lived
10 experience of incarceration, recovery or neurodivergence must be selected by the members
11 and invited to assist the working group.

12 **Sec. 3. Duties. Resolved:** That the working group shall:

13 1. Identify in the Maine Revised Statutes and executive branch rules, forms, policies
14 and publications each instance where the use of the terminology is stigmatizing;

15 2. Identify the terms to be used in place of the stigmatizing terminology;

16 3. In selecting replacement terms, consider whether the following terms are appropriate
17 replacements:

18 A. "Person who has committed a crime";

19 B. "Resident"; or

20 C. "Person who uses drugs";

21 4. Ensure that any proposed language changes are not in conflict with or prohibited by
22 federal laws or regulations;

23 5. Ensure that any proposed language changes do not alter or render ambiguous the
24 substantive meaning of any statute or any executive branch rules, forms, policies or
25 publications;

26 6. Propose standards regarding the terminology to be used by the Revisor of Statutes
27 when preparing legislation; and

28 7. Propose standards regarding the terminology to be used by executive branch
29 agencies when drafting or amending rules, forms, policies and publications.

30 **Sec. 4. Report and recommendations. Resolved:** That, by December 1, 2021,
31 the Department of Corrections shall submit a written report to the Joint Standing
32 Committee on Criminal Justice and Public Safety that includes the findings and
33 recommendations of the working group, including any necessary implementing legislation.

34 **Sec. 5. Authority for legislation. Resolved:** That, after receipt and review of the
35 report and recommendations submitted pursuant to section 4, the Joint Standing Committee
36 on Criminal Justice and Public Safety may submit legislation based on the report to the
37 Second Regular Session of the 130th Legislature.

38 SUMMARY

39 This resolve requires the Department of Corrections to convene a working group to
40 identify when the following terms are used in a stigmatizing manner in the Maine Revised

1 Statutes and executive branch rules, forms, policies and publications: "convict," "offender,"
2 "inmate," "prisoner" and "drug user." The working group is tasked with identifying the
3 appropriate replacement terms to be used and considering the following terms as
4 replacement options: "person who has committed a crime," "resident" or "person who uses
5 drugs."

6 The working group includes at least one person each from the Department of
7 Corrections, the Department of Public Safety, the Department of Health and Human
8 Services and the Department of Agriculture, Conservation and Forestry. A member of the
9 public with lived experience of incarceration, recovery or neurodivergence is selected by
10 the members and invited to assist the working group.

11 By December 1, 2021, the Department of Corrections is required to provide a report
12 with the working group's findings and recommendations to the Joint Standing Committee
13 on Criminal Justice and Public Safety. The committee has the authority to introduce
14 legislation in the Second Regular Session of the 130th Legislature based on the report.