



131st MAINE LEGISLATURE

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No. 2010

H.P. 1289

House of Representatives, June 12, 2023

**An Act to Correct Inconsistencies, Conflicts and Errors in the Laws
of Maine**

(EMERGENCY)

Reported by Representative MOONEN of Portland for the Revisor of Statutes pursuant to the Maine Revised Statutes, Title 1, section 94.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in black ink that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

1 the clerk as bail in criminal cases must be deposited daily in a special account. The clerk
2 shall deposit the funds in an interest-bearing account unless the clerk determines that it is
3 not cost-effective to do so. Interest accrued in the account is the property of and accrues
4 to the State. The forfeiture and setoff of bail is governed as otherwise provided by law.

5 **Sec. A-5. Effective date.** That section of this Part that amends the Maine Revised
6 Statutes, Title 4, section 163, subsection 1 takes effect July 1, 2023.

7 **Sec. A-6. 5 MRSA §1622, sub-§1, ¶A,** as enacted by PL 2011, c. 21, §1, is
8 amended by amending subparagraph (7) to read:

9 (7) For ~~a good~~ goods or a service the vendor did not provide.

10 **Sec. A-7. 5 MRSA §1762, first ¶,** as amended by PL 2021, c. 554, §3, is further
11 amended to read:

12 A public improvement, as defined in this chapter, public school facility or other
13 building or addition constructed or substantially renovated in whole or in part with public
14 funds or using public loan guarantees, with an area in excess of 5,000 square feet, may not
15 be constructed without having secured from the designer an evaluation of life-cycle costs,
16 as computed by a qualified architect or engineer. The requirements of this section with
17 respect to substantial renovation pertain only to that portion of the building being
18 renovated. Construction may proceed only upon disclosing, for the design chosen, the life-
19 cycle costs as determined in section 1764 and the capitalization of the initial construction
20 costs of the facility or building. The life-cycle costs must be a primary consideration in the
21 selection of the design. As At a minimum, the design must meet the energy efficiency
22 building performance standards adopted by the Department of Public Safety in the Maine
23 Uniform Building and Energy Code as defined in Title 10, section 9721, subsection 2.

24 **Sec. A-8. 5 MRSA §1764, sub-§1,** as amended by PL 2021, c. 554, §4, is further
25 amended to read:

26 **1. Bureau of General Services to adopt rules and procedures.** The Bureau of
27 General Services shall adopt rules, including energy conservation guidelines that conform
28 as at a minimum to the energy efficiency building performance standards adopted by the
29 Department of Public Safety for conducting an energy-related life-cycle costs analysis of
30 alternative architectural or engineering designs, or both, and shall evaluate the efficiency
31 of energy utilization for designs in the construction and lease of public improvements and
32 public school facilities.

33 **Sec. A-9. 5 MRSA §1831, sub-§1,** as amended by PL 1989, c. 785, §3, is further
34 amended to read:

35 **1. Adoption of rules.** ~~Every~~ A department or agency of State Government, subject to
36 chapters 141 to 152, purchasing services or awarding grants or contracts ~~which that~~ that are not
37 subject to the authority of the Department of ~~Administration~~ Administrative and Financial
38 Services, as defined in chapters 153 and 155, shall establish a procedure by which these
39 services are purchased or by which grants or contracts are awarded. This procedure must
40 be adopted in accordance with the Maine Administrative Procedure Act, ~~chapter 375 no~~
41 ~~later than January 1, 1994~~ and must be approved by the State Purchasing Agent prior to
42 ~~their~~ the procedure's adoption. The State Purchasing Agent shall ensure that the rules
43 adopted under this section meet the standards of public notice, administrative review, and
44 rights to appeal as set forth in chapter 155, subchapter ~~I-A.~~ 1-A. A department or

1 agency of State Government that does not adopt rules under this section by January 1, 1991,
2 is subject to rules adopted by the State Purchasing Agent under chapter 155, subchapter
3 I-A 1-A.

4 **Sec. A-10. 5 MRSA §1831, sub-§3**, as amended by PL 1985, c. 785, Pt. A, §76, is
5 further amended to read:

6 **3. Application.** The procedure adopted by a department or agency ~~in~~ under this
7 section may be used by the department or agency for any qualifying purchase or award of
8 a contract or grant. ~~Nothing in this~~ This section may not be construed to require the
9 adoption of new procedures for every new purchase, contract or award. ~~Nothing in this~~
10 This section may not be construed to require the State Purchasing Agent or the Department
11 of ~~Administration~~ Administrative and Financial Services to approve any contract, grant or
12 award that is not presently approved by the State Purchasing Agent or the Department of
13 ~~Administration~~ Administrative and Financial Services under chapters 153 and 155.

14 **Sec. A-11. 5 MRSA §4592, sub-§1, ¶C**, as enacted by PL 1995, c. 393, §22, is
15 amended to read:

16 C. A failure to take steps ~~that may be necessary~~ to ensure that no individual with a
17 disability is excluded, denied services, segregated or otherwise treated differently than
18 other individuals because of the absence of auxiliary aids and services, unless, in the
19 case of a private entity, the private entity can demonstrate that taking those steps would
20 fundamentally alter the nature of the ~~good~~ goods, service, facility, privilege, advantage
21 or accommodation being offered or would result in an undue burden;

22 **Sec. A-12. 5 MRSA §4592, sub-§4, ¶B**, as enacted by PL 1995, c. 393, §24, is
23 amended to read:

24 B. To afford an individual or a class of individuals, on the basis of a disability or
25 disabilities of the individual or class, directly or through contractual, licensing or other
26 arrangements, with the opportunity to participate in or benefit from ~~a good~~, goods or a
27 service, facility, privilege, advantage or accommodation in a manner that is not equal
28 to that afforded to other individuals; and

29 **Sec. A-13. 5 MRSA §4592, sub-§4, ¶C**, as enacted by PL 1995, c. 393, §24, is
30 amended to read:

31 C. To provide an individual or a class of individuals, on the basis of a disability or
32 disabilities of the individual or class, directly or through contractual, licensing or other
33 arrangements, with ~~a good~~, goods or a service, facility, privilege, advantage or
34 accommodation that is different or separate from that provided to other individuals,
35 unless this action is necessary to provide the individual or class of individuals with a
36 ~~good~~, goods or a service, facility, privilege, advantage or accommodation or other
37 opportunity that is as effective as that provided to others.

38 **Sec. A-14. 5 MRSA §12004-I, sub-§49-C**, as corrected by RR 2013, c. 1, §12, is
39 amended to read:

40 **49-C.**

41 Inland Fisheries Landowners and Sportsmen Land Not Authorized 12 MRSA §10157
42 and Wildlife Users Relations Advisory Board

1 **Sec. A-15. 5 MRSA §17928, 2nd ¶**, as enacted by PL 1997, c. 384, §8 and amended
2 by PL 2021, c. 548, §45, is further amended to read:

3 A member who by election remains covered, as to qualification for benefits, under
4 section 17924 as written prior to its amendment by Public Law 1991, chapter 887, section
5 7, qualifies for a disability retirement benefit on meeting the requirements of section 17924,
6 subsection 1, ~~paragraphs C and D~~. When a member so qualified retires after approval for
7 disability retirement by the chief executive officer in accordance with this ~~Article~~ article,
8 the member is entitled to receive a disability retirement benefit equal to 66 2/3% of the
9 member's average final compensation.

10 **Sec. A-16. 5 MRSA §18252-A, sub-§1, ¶A**, as amended by PL 2021, c. 90, §1
11 and c. 286, §3, is repealed and the following enacted in its place:

12 A. Except as provided by section 18252-C, a person hired by a participating local
13 district, or rehired following a break in service, after the date on which the employer
14 provides a plan under section 18252-B must elect at the time of initial hiring or rehiring
15 whether to be a member under the Participating Local District Retirement Program or
16 to be covered under a plan provided by the employer under section 18252-B.

17 **Sec. A-17. 5 MRSA §18252-A, sub-§1, ¶B**, as amended by PL 2021, c. 90, §2
18 and c. 286, §4, is repealed and the following enacted in its place:

19 B. An employee of the participating local district who is a member under the
20 Participating Local District Retirement Program on the date on which the employer
21 provides a plan under section 18252-B may elect to remain a member under that
22 program or to become covered under a plan provided by the employer under section
23 18252-B. Except as provided by section 18252-C, a person must make an election
24 within 90 days of the date on which the employer provides a plan under section
25 18252-B.

26 (1) If that person elects not to remain a member, the election is effective as of the
27 first day of the month in which no contributions or pick-up contributions are made
28 to the Participating Local District Retirement Program by that person. A person
29 who elects not to remain a member may, at that person's discretion, withdraw
30 accumulated contributions in accordance with section 18306-A.

31 **Sec. A-18. 5 MRSA §18453, sub-§2**, as amended by PL 2019, c. 364, §2 and c.
32 370, §2, is repealed and the following enacted in its place:

33 **2. Employee Special Plan #2.** Except as provided in this subsection, a retirement
34 benefit to police officers, firefighters, sheriffs, full-time deputy sheriffs, county corrections
35 employees, dispatchers, emergency medical services persons as defined in Title 32, section
36 83, subsection 12 or any other participating local district employees who have completed
37 20 to 25 years of creditable service, the number of years to be selected by the participating
38 local district. A participating local district may not elect to provide retirement benefits to
39 its dispatchers in a plan that requires less than 25 years of creditable service. For the
40 purposes of this subsection, "county corrections employees" means employees of the
41 county who are employed at a county jail and whose duties include contact with prisoners
42 or juvenile detainees. The benefits are 1/2 of the member's average final compensation.

43 **Sec. A-19. 5 MRSA §18453, sub-§3**, as amended by PL 2019, c. 364, §3 and c.
44 370, §3, is repealed and the following enacted in its place:

1 **3. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan**
2 **#1.** A retirement benefit equal to 1/2 of the member's average final compensation to a
3 firefighter, including the chief of a fire department, a dispatcher or an emergency medical
4 services person as defined in Title 32, section 83, subsection 12, who has completed at least
5 25 years of creditable service in that capacity and who retires upon or after reaching 55
6 years of age.

7 **Sec. A-20. 5 MRSA §18453, sub-§4**, as amended by PL 2019, c. 364, §4 and c.
8 370, §4, is repealed and the following enacted in its place:

9 **4. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan**
10 **#2.** A retirement benefit to a firefighter, including the chief of a fire department, a
11 dispatcher or an emergency medical services person as defined in Title 32, section 83,
12 subsection 12, who has completed at least 25 years of creditable service in that capacity
13 and who retires upon or after reaching 55 years of age. The benefits are 2/3 of the member's
14 average final compensation.

15 **Sec. A-21. 5 MRSA §18453, sub-§5**, as amended by PL 2019, c. 364, §5 and c.
16 370, §5, is repealed and the following enacted in its place:

17 **5. Firefighter, Emergency Medical Services Person and Dispatcher Special Plan**
18 **#3.** Except as provided in this subsection, a retirement benefit to a firefighter, including
19 the chief of a fire department, a dispatcher or an emergency medical services person as
20 defined in Title 32, section 83, subsection 12, who has completed 20 to 25 years of
21 creditable service in that capacity, the number of years to be selected by the participating
22 local district, and who retires at any age. A participating local district may not elect to
23 provide retirement benefits to its dispatchers in a plan that requires less than 25 years of
24 creditable service. The benefits are 2/3 of the member's average final compensation.

25 **Sec. A-22. 10 MRSA §1105, sub-§1, ¶C**, as amended by PL 2021, c. 175, §1, is
26 further amended to read:

27 C. "Necessities" includes food for human or animal consumption; seeds; potable water;
28 pharmaceutical products, including prescription medications; wearing apparel; shoes;
29 building materials; gas and electricity for light, heat and power; ice; fuel of all kinds;
30 and fertilizer and fertilizer ingredients; together with tools, utensils, implements,
31 machinery and equipment required for the actual production or manufacture of the
32 same. "Necessities" includes any other vital or necessary ~~good~~ goods or service except
33 those:

- 34 (1) Subject to continuous maximum price regulation under the provisions of any
35 state or federal law;
- 36 (2) As to which the State's authority is preempted; or
- 37 (3) Furnished or provided by:
- 38 (a) Insurers; or
- 39 (b) Nonprofit hospitals, medical service organizations or health maintenance
40 organizations authorized to transact business within the State pursuant to Title
41 24 and Title 24-A.

1 **Sec. A-23. 10 MRSA §1500-G, sub-§1**, as enacted by PL 2013, c. 302, §1, is
2 amended to read:

3 **1. False representation of authentic Indian products.** A person may not offer or
4 display for sale or sell ~~a good goods~~ in a manner that falsely suggests ~~it is~~ the goods are
5 Indian-produced, ~~an Indian product products~~ or the ~~product products~~ of a particular Indian
6 or Indian tribe or Indian arts and crafts organization in a manner that violates 25 United
7 States Code, Section 305e.

8 **Sec. A-24. 12 MRSA §543, sub-§1**, as corrected by RR 2021, c. 2, Pt. B, §3, is
9 amended to read:

10 **1. Director.** The executive head of the survey, referred to in this section as "the
11 director," holds the offices of director of the survey and State Geologist. The executive
12 head of the survey shall personally attend to the duties of those offices so far as practicable.

13 **Sec. A-25. 12 MRSA §6404-J, first ¶**, as amended by PL 2013, c. 49, §6, is further
14 amended to read:

15 The commissioner shall suspend or revoke the elver fishing license of any license
16 holder convicted of violating section 6575 ~~or 6575-A~~.

17 **Sec. A-26. 12 MRSA §6525-A, sub-§1**, as corrected by RR 2021, c. 2, Pt. B, §56,
18 is repealed and the following enacted in its place:

19 **1. Setting nets or seines near weirs.** A person, other than a weir owner or the weir
20 owner's crew members, may not set or assist in setting a net or seine within 2,000 feet of
21 the mouth of a weir that is:

22 A. In operating condition;

23 B. Licensed under Title 38, chapter 9; and

24 C. Operated by an operator who is licensed under section 6501.

25 **Sec. A-27. 12 MRSA §10157**, as amended by PL 2015, c. 277, §§2 to 8, is further
26 amended by amending the section headnote to read:

27 **§10157. Landowners and ~~Sportsmen~~ Land Users Relations Advisory Board**

28 **Sec. A-28. 12 MRSA §10157, sub-§1-A**, as enacted by PL 2015, c. 277, §3, is
29 amended to read:

30 **1-A. Appointment and composition.** The Landowners and ~~Sportsmen~~ Land Users
31 Relations Advisory Board, referred to in this chapter as "the advisory board" and
32 established by Title 5, section 12004-I, subsection 49-C, consists of the following
33 members:

34 A. Eleven members, appointed by the Commissioner of Inland Fisheries and Wildlife:

35 (1) One representative of a statewide small woodland owners association;

36 (2) One representative of a large landowners association;

37 (3) One representative of a statewide farmers organization;

38 (4) Three representatives of ~~sportsmen~~ hunters;

39 (5) Two representatives of outdoor recreationists;

- 1 (6) Two representatives of environmentalist organizations; and
- 2 (7) One representative of land trust organizations.

3 **Sec. A-29. 12 MRSA §10255, sub-§3**, as amended by PL 2019, c. 343, Pt. Y, §4,
4 is further amended to read:

5 **3. Distribution from fund.** Money distributed from the fund may be used for
6 marketing the plates and for the production and marketing of goods using the
7 environmental plate design. After the Treasurer of State has reimbursed the Secretary of
8 State for costs of producing and issuing environmental registration plates in accordance
9 with Title 29-A, section 455, the Treasurer of State shall, at the end of each quarter in the
10 fiscal year, distribute the balance in the fund as follows:

11 A. Sixty percent of the balance must be deposited in the Parks General Operations
12 Fund established in section 1825, subsection 1-A; and

13 B. Forty percent of the balance must be deposited in the Maine Endangered and
14 Nongame Wildlife Fund established in section 10253.

15 **Sec. A-30. 12 MRSA §10353, sub-§1, ¶B**, as enacted by PL 2003, c. 414, Pt. A,
16 §2 and affected by c. 614, §9, is amended by amending subparagraph (1) to read:

17 (1) A warden shall, when possible, while in and about the woods, caution all
18 sportsmen participants in outdoor recreation of the danger from fires in the woods
19 and, if possible, extinguish a fire left burning by anyone.

20 **Sec. A-31. 12 MRSA §12503, sub-§2**, as corrected by RR 2021, c. 2, Pt. A, §23,
21 is amended to read:

22 **2. Land used for agricultural purposes; domicile.** Notwithstanding section 12501,
23 subsection 1 and subject to all other applicable laws and rules, any resident and any member
24 of the resident's immediate family, as long as the angler's license to fish is not under
25 suspension or revocation, may fish without a license in open inland waters from land:

26 A. To which they are legally entitled to possession;

27 B. On which they are actually domiciled; and

28 C. That is used exclusively for agricultural purposes.

29 **Sec. A-32. 15 MRSA §321, sub-§2, ¶A**, as enacted by PL 1983, c. 619, is amended
30 to read:

31 A. A person is charged with or convicted of a violation of Title 17-A, ~~sections~~ section
32 201, 202, 203, 204, 207, 207-A, 208, 208-A, 208-B, 208-C, 208-D, 208-E, 208-F,
33 209, 209-A, 210, 210-A, 210-B, 210-C, ~~211, 252, 253, 301, 302, 303, 506-A or~~
34 556;

35 **Sec. A-33. 17 MRSA c. 3**, as amended, is repealed.

36 **Sec. A-34. 17-A MRSA §1111-B, sub-§1, ¶A**, as enacted by PL 2021, c. 724, §1,
37 is amended by amending subparagraph (17) to read:

38 (17) Violation of a protection from harassment order issued pursuant to Title 5,
39 chapter 337-A, a protective order in crimes between family members issued

1 pursuant to Title 15, chapter 12-A or a protection from abuse order issued pursuant
2 to Title 19-A, former chapter 101 or Title 19-A, chapter 103;

3 **Sec. A-35. 19-A MRSA §1658, sub-§2, ¶C**, as enacted by PL 2021, c. 340, §2, is
4 amended to read:

5 C. A final order, other than in a protection from abuse matter under former chapter
6 101 or chapter 103, that has been in effect for at least 12 months grants the petitioner
7 exclusive parental rights and responsibilities with respect to all aspects of the child's
8 welfare, with the exception of the right and responsibility for support, without reserving
9 for the parent any rights to make decisions, to have access to records or to have contact
10 with the child, and termination of the parent's parental rights and responsibilities is
11 necessary to protect the child from serious harm or the threat of serious harm.

12 **Sec. A-36. 20-A MRSA §1311, sub-§6, ¶E**, as enacted by PL 1981, c. 693, §§5
13 and 8, is amended to read:

14 E. If a certificate of approval indicates that the state board has authorized state aid to
15 be paid in accordance with the alternate method prescribed by former Title 20, section
16 3460, the total estimated amount of state aid payable on account of the school
17 construction project described in the certificate of approval ~~shall~~ must be treated as
18 outstanding school indebtedness for the purpose of computing the borrowing capacity
19 of the district to finance that project by issuing its bonds or notes. State aid ~~shall~~ must
20 be determined by applying the applicable percentage of state aid to the total estimated
21 cost of the project, as set forth in the certificate of approval.

22 **Sec. A-37. 20-A MRSA §1352, sub-§2, ¶C**, as enacted by PL 1981, c. 693, §§5
23 and 8, is amended to read:

24 C. When a referendum is called for the purposes of approving the addition of a
25 municipality to the district, the article ~~shall~~ must be in the form set forth in section ~~1401~~
26 1465, subsection 2, ~~paragraph A 3~~.

27 **Sec. A-38. 20-A MRSA §1352, sub-§2, ¶I**, as enacted by PL 1981, c. 693, §§5
28 and 8, is amended to read:

29 I. When a referendum is called for the purpose of approving the agreement to transfer
30 a municipality from one district to another district, the article ~~shall~~ must be the form
31 set forth in section ~~1406~~ 1467, subsection 2.

32 **Sec. A-39. 20-A MRSA §1462, sub-§3**, as enacted by PL 2007, c. 240, Pt. XXXX,
33 §13, is amended to read:

34 **3. Financing assumed debts.** A regional school unit shall assume the outstanding
35 indebtedness of a school administrative unit in existence prior to the operational date of the
36 new regional school unit for school construction projects approved for subsidy under
37 chapter 609 and pursuant to section 1506. If a regional school unit board of directors has
38 assumed the outstanding indebtedness of a school administrative unit in existence prior to
39 the operational date of the new regional school unit, the directors of the regional school
40 unit board may, notwithstanding any other statute or any provision of any trust agreement,
41 use any sinking fund or other money set aside by the school administrative unit in existence
42 prior to the operational date of the new regional school unit to pay off the indebtedness for
43 which the money was dedicated. A regional school unit board of directors is not required

1 to assume the outstanding indebtedness of a school administrative unit in existence prior to
2 the operational date of the new regional school unit in its regional school unit for nonstate-
3 funded projects pursuant to section 15905-A and pursuant to section ~~1481~~ 1481-A.

4 **Sec. A-40. 20-A MRSA §1463, sub-§2**, as enacted by PL 2007, c. 240, Pt. XXXX,
5 §13, is amended to read:

6 **2. Transfer of governing authority.** The regional school unit board of directors, on
7 the date established pursuant to subsection 1, shall assume responsibility for the
8 management and control of the public schools and programs within the school
9 administrative units in existence prior to the operational date of the new regional school
10 unit that are within the regional school unit. Those school administrative units in existence
11 prior to the operational date of the new regional school unit on the date established in
12 subsection 1 have no further responsibility for the operation or control of the public schools
13 and programs within the school administrative unit except those pursuant to section ~~1481~~
14 1481-A.

15 **Sec. A-41. 20-A MRSA §2404, sub-§2, ¶C**, as amended by PL 2015, c. 448, §3,
16 is further amended to read:

17 C. Except as provided in paragraphs G, H, and I ~~and K~~, if capacity is insufficient to
18 enroll all students who wish to attend the school, the public charter school shall select
19 students through a random selection process. A list maintained to fill potential
20 vacancies may be carried over to the succeeding year.

21 **Sec. A-42. 20-A MRSA §4805, sub-§6**, as enacted by PL 1983, c. 719, §2, is
22 amended to read:

23 **6. National Women's History Week.** National Women's History Week is the week
24 containing March 8th, ~~in accordance with Title 1, section 122~~.

25 **Sec. A-43. 20-A MRSA §5813**, as enacted by PL 1981, c. 693, §§5 and 8, is
26 amended to read:

27 **§5813. Driver education**

28 Students may be charged a fee for driver education as provided under section 4604
29 8704.

30 **Sec. A-44. 20-A MRSA §6601-A**, as amended by PL 2021, c. 676, Pt. E, §1 and c.
31 719, §1, is repealed and the following enacted in its place:

32 **§6601-A. Free or reduced-price school meals; Internet-based school meal**
33 **applications**

34 The department shall contract for the development and implementation of an Internet-
35 based application for free or reduced-price meals under the National School Lunch
36 Program under 7 Code of Federal Regulations, Part 210 and the School Breakfast Program
37 under 7 Code of Federal Regulations, Part 220. The department shall make available to
38 public schools the Internet-based application for free or reduced-price meals developed
39 under this section on the department's publicly accessible website. The department shall
40 make the Internet-based application in an understandable and uniform format and, to the
41 maximum extent practicable, in a language that parents and legal guardians can understand.
42 A public school may make the Internet-based application available for school meal

1 applications on the public school's publicly accessible website. All public schools shall
2 continue to distribute paper applications for school meals to all students. A public school
3 is solely responsible for processing that school's online applications. Data submitted
4 through the Internet-based application may not be visible to the department and must be
5 transmitted directly to the applicable public school. All public schools shall accept data
6 submitted through the Internet-based application.

7 **Sec. A-45. 20-A MRSA §8457, sub-§1**, as amended by PL 2019, c. 398, §26, is
8 further amended to read:

9 **1. General powers and duties.** A cooperative board has all of the powers and duties
10 of a school board as provided in section 1001, subsections 1, 2, 4 to 7 and 11-A to 19;
11 section 1002; section 1256, subsections 1, 2 and 4 to 7; section 1257; ~~sections 1313 to~~
12 section 1314; section 1315; section 4801; section 13201; and section 13202. For such
13 purposes, references in those sections to "school administrative unit," "administrative unit,"
14 "school unit," "unit," "school administrative district," "district," "regional school unit,"
15 "RSU," "alternative organizational structure" or "AOS" mean career and technical
16 education region; references in those sections to "school board," "school committee,"
17 "board," "board of directors" or "directors" mean cooperative board; references in those
18 sections to "director" mean a member of a cooperative board; and references in those
19 sections to "they" mean either, as appropriate in the context, cooperative board or members
20 of the cooperative board.

21 **Sec. A-46. 20-A MRSA §9501, sub-§2**, as amended by PL 2009, c. 369, Pt. A,
22 §29 and PL 2011, c. 286, Pt. B, §5, is further amended to read:

23 **2. Exemptions.** Educational programs related to the real estate professions that are
24 subject to approval under Title 32, chapter ~~59~~ 114, commercial driver education schools
25 subject to approval by the Secretary of State under Title 29-A, chapter 11, subchapter 3,
26 schools of barbering and schools of cosmetology subject to approval by the Director of the
27 Office of Professional and Occupational Regulation under Title 32, chapter 126,
28 educational programs offered by any Maine nonprofit corporation, any educational
29 programs offered by any professional or trade association primarily for the benefit of its
30 own members and any educational institution authorized by the laws of this State to grant
31 a degree are exempt from the requirements of this chapter.

32 **Sec. A-47. 21-A MRSA §1062-A, sub-§1**, as amended by PL 2019, c. 563, §18,
33 is further amended to read:

34 **1. Registration.** A political action committee required to register under section
35 1052-A, 1053-A or 1053-B or a ballot question committee required to register under section
36 1053-A ~~or 1056-B~~ that fails to do so or that fails to provide the information required by the
37 commission for registration may be assessed a fine of no more than \$2,500. In assessing a
38 fine, the commission shall consider, among other things, whether the violation was
39 intentional, the amount of campaign and financial activity that occurred before the
40 committee registered, whether the committee intended to conceal its campaign or financial
41 activity and the level of experience of the committee's volunteers and staff.

42 **Sec. A-48. 21-A MRSA §1062-A, sub-§4**, as amended by PL 2019, c. 563, §19,
43 is further amended to read:

1 **4. Maximum penalties.** The maximum penalty under this subchapter is \$10,000 for
2 reports required under section 1053-A, ~~1056-B~~ or 1059, except that if the dollar amount of
3 the financial activity that was not timely filed or did not substantially conform to the
4 reporting requirements of this subchapter exceeds \$50,000, the maximum penalty is 100%
5 of the dollar amount of that financial activity.

6 **Sec. A-49. 21-A MRSA §1062-A, sub-§8-A,** as amended by IB 2015, c. 1, §11,
7 is further amended to read:

8 **8-A. Penalties for failure to file report.** The commission may assess a civil penalty
9 for failure to file a report required by this subchapter. The maximum penalty for failure to
10 file a report required under ~~section 1056-B~~ or section 1059 is \$10,000 or the amount of
11 financial activity not reported, whichever is greater.

12 **Sec. A-50. 22 MRSA §1592,** as enacted by PL 1977, c. 696, §186, is amended to
13 read:

14 **§1592. Discrimination for refusal**

15 No A person, hospital, health care facility, firm, association, corporation or educational
16 institution, directly or indirectly, ~~by himself or another, shall~~ may not discriminate against
17 ~~any~~ a physician, nurse or other person by refusing or withholding employment from or
18 denying admittance, when ~~such~~ that physician, nurse or other person refuses to perform, or
19 assist in the performance of an abortion, nor ~~shall such~~ may that refusal constitute grounds
20 for loss of any privileges or immunities to which ~~such~~ that physician, nurse or other person
21 would otherwise be entitled.

22 **Sec. A-51. 22 MRSA §1722, sub-§1, ¶B,** as reallocated by RR 2007, c. 2, §9, is
23 amended by amending the first blocked paragraph to read:

24 For the purposes of this paragraph, a hospital's total hospital-only expenses include
25 any item that is listed on the hospital's Medicare cost report as a subprovider, such as
26 a psychiatric unit or rehabilitation unit, and does not include nonhospital cost centers
27 shown on the hospital's Medicare cost report, such as home health agencies, nursing
28 facilities, swing beds, skilled nursing facilities and hospital-owned physician practices.
29 For purposes of this paragraph, a hospital's bad debt is as defined and reported in the
30 hospital's Medicare cost report and as submitted to the Maine Health Data
31 Organization pursuant to ~~Title 22,~~ chapter 1683.

32 **Sec. A-52. 22 MRSA §1872, last ¶,** as reallocated by PL 1983, c. 816, Pt. A, §16,
33 is amended to read:

34 This section does not apply to ~~persons~~ a person who may be committed under section
35 ~~1022~~ 811.

36 **Sec. A-53. 22 MRSA §2061, sub-§5,** as enacted by PL 2001, c. 609, §3, is amended
37 to read:

38 **5. Projects for program of independent housing with services not required to be**
39 **licensed.** If the project is for a program of independent housing with services that is not
40 required to be licensed under this Title, the participating health care facility has agreed to
41 comply with the requirements applicable to assisted living providers with regard to the
42 standardized contract under section ~~7916~~ 7862 and residents' rights under section ~~7902-A~~
43 7853, subsection 6 and rules adopted pursuant to those provisions. This requirement does

1 not apply to the refinancing of an authority loan outstanding on April 1, 2002 or to a project
2 specifically authorized under this chapter.

3 **Sec. A-54. 22 MRSA §2164, first ¶**, as corrected by RR 2021, c. 2, Pt. B, §126, is
4 amended to read:

5 The Commissioner of Agriculture, Conservation and Forestry or the commissioner's
6 duly authorized agent must have free access at all reasonable hours to any factory,
7 warehouse or establishment in which foods are manufactured, processed, packed or held
8 for introduction into commerce, or to enter any vehicle being used to transport or hold such
9 foods in commerce for the purpose of:

10 **Sec. A-55. 22 MRSA §2164, sub-§1** is amended to read:

11 **1. Inspection.** ~~Of inspecting such~~ Inspecting the factory, warehouse, establishment or
12 vehicle to determine if any of the provisions of this subchapter are being violated; and

13 **Sec. A-56. 22 MRSA §2164, sub-§2** is amended to read:

14 **2. Examination of samples.** ~~To secure~~ Securing samples or specimens of any food
15 after paying or offering to pay for such ~~the~~ the sample.

16 It ~~shall be~~ is the duty of the commissioner to make or cause to be made examination of
17 samples secured under this section to determine whether or not any provision of this
18 subchapter is being violated.

19 **Sec. A-57. 22 MRSA §2423-A, sub-§10, ¶E**, as repealed and replaced by PL
20 2019, c. 331, §13 and c. 354, §5 and amended by PL 2021, c. 669, §5, is repealed and the
21 following enacted in its place:

22 E. A cannabis testing facility shall obtain and must be able to produce, upon demand
23 of the department or a municipal code enforcement officer, documentation of the
24 facility's accreditation pursuant to standard ISO/IEC 17025 of the International
25 Organization for Standardization by a 3rd-party accrediting body.

26 **Sec. A-58. 22 MRSA §2430-G, sub-§1, ¶A**, as amended by PL 2021, c. 367, §16,
27 c. 387, §§14 and 15 and c. 669, §5, is further amended by repealing subparagraph (2) and
28 enacting the following in its place:

29 (2) Keep the books and records maintained by the registered caregiver, registered
30 dispensary, cannabis testing facility or manufacturing facility for a period of 4
31 years; and

32 **Sec. A-59. 22 MRSA §2519-A**, as enacted by PL 1999, c. 777, §1, is amended to
33 read:

34 **§2519-A. Detention**

35 If a livestock product or poultry product or a product exempted from the definitions of
36 "livestock product" and "poultry product" or any dead, dying, disabled or diseased livestock
37 or poultry is found by an authorized representative of the commissioner upon premises
38 where it is held for, during or after distribution in intrastate commerce or is otherwise
39 subject to this chapter and there is reason to believe that the product or animal is adulterated
40 or misbranded and is useable as human food or that it has not been inspected, in violation
41 of the provisions of this chapter or the federal acts or the Federal Food, Drug, and Cosmetic

1 Act, or that the product or animal has been or is intended to be distributed in violation of
2 any of these provisions, it may be detained by a representative for a period not to exceed
3 30 days, pending action under section ~~2522~~ 2524-A or notification of a federal authority
4 having jurisdiction over the product or animal. The product or animal may not be moved
5 by a person from the place at which it is located when detained, until released by the
6 representative. All official marks may be required by the representative to be removed
7 from the product or animal before it is released, unless it appears to the satisfaction of the
8 commissioner or the commissioner's designee that the product or animal is eligible to retain
9 the marks.

10 **Sec. A-60. 22 MRSA §2660-E, first ¶**, as amended by PL 1997, c. 705, §13, is
11 further amended to read:

12 In addition to fees authorized under Title 22-A, section 9 210, the commissioner may
13 impose an annual operation fee upon each public water system in the State.

14 **Sec. A-61. 22 MRSA §3173-C, sub-§3, ¶F**, as corrected by RR 2021, c. 2, Pt. B,
15 §159, is amended to read:

16 F. Services furnished to an individual by a Health Maintenance Organization, as
17 ~~defined~~ described in the United States Social Security Act, Section 1903(m), in which
18 the individual is enrolled; and

19 **Sec. A-62. 22 MRSA §3174-T, sub-§2, ¶E**, as amended by PL 2001, c. 450, Pt.
20 A, §3, is further amended to read:

21 E. Coverage under the Cub Care program may be purchased for children described in
22 subparagraphs (1) and (2) for a period of up to 18 months as provided in this paragraph
23 at a premium level that is revenue neutral and that covers the cost of the benefit and a
24 contribution toward administrative costs no greater than the maximum level allowable
25 under ~~COBRA~~ the Consolidated Omnibus Budget Reconciliation Act of 1985,
26 COBRA, of the Employee Retirement Income Security Act of 1974, as amended, 29
27 United States Code, Sections 1161 to 1168 (Supp. 1997). The department shall adopt
28 rules to implement this paragraph. The following children are eligible to enroll under
29 this paragraph:

30 (1) A child who is enrolled under paragraph A or B and whose family income at
31 the end of the child's 12-month enrollment term exceeds the maximum allowable
32 income set in that paragraph; and

33 (2) A child who is enrolled in the Medicaid program and whose family income
34 exceeds the limits of that program. The department shall terminate Medicaid
35 coverage for a child who enrolls in the Cub Care program under this subparagraph.

36 **Sec. A-63. 22 MRSA §3178**, as enacted by PL 1973, c. 790, §2, is amended to read:
37 **§3178. Payment to conservator or guardian**

38 If an applicant for or a recipient of aid is found by the department to be incapable of
39 taking care of ~~himself or his~~ the applicant's or recipient's own health, welfare or money,
40 ~~payment shall~~ must be made only to a legally appointed guardian or conservator for ~~his~~ the
41 applicant's or recipient's benefit.

42 **Sec. A-64. 22 MRSA §3203**, as enacted by PL 1973, c. 790, §3, is amended to read:

1 **§3203. Report**

2 On ~~or before February 1, 1975, and thereafter annually,~~ on or before September 1st,
3 the department shall submit a detailed annual report on the federal supplemental income
4 program and the state supplemental income program to the Governor in accordance with
5 Title 5, sections 43, 44, 45 and 46 and to the Legislative Council. The report ~~shall~~ must
6 include copies of all pertinent state and federal rules and regulations; and recommendations
7 for policy, budgetary and legislative action; ~~and any advisory recommendations as may be~~
8 ~~recommended by the Maine Committee on Aging and the Maine Human Services Council.~~

9 **Sec. A-65. 22 MRSA §3271, sub-§2**, as enacted by PL 1973, c. 790, §3, is amended
10 to read:

11 **2.** The department, to the extent allowed by Title XVI of the United States Social
12 Security Act, as amended, and regulations promulgated thereunder, shall establish, ~~with the~~
13 ~~advice of the Maine Committee on Aging and the Maine Human Services Council,~~ standard
14 levels of state supplemental income benefits for blind, disabled and elderly people. The
15 benefits ~~shall~~ must be provided under a modified flat benefit system, and may vary by
16 marital status, and by living arrangements to the extent allowed by Title XVI of the United
17 States Social Security Act, as amended, and regulations promulgated thereunder. The
18 benefits ~~shall~~ may not be based on individual budgeted need and ~~shall~~ may not vary by
19 category or geographical area. Benefits for a couple, except as provided under section 3273,
20 subsection 1, paragraph B, ~~shall~~ must be equal to the sum of the amount of benefit for an
21 individual and 50% of the benefit for an individual.

22 **Sec. A-66. 22 MRSA §4016**, as enacted by PL 1983, c. 354, §4, is amended to read:

23 **§4016. Confidentiality of employee records**

24 Notwithstanding Title 5, section ~~554~~ 7070, subsection 2, paragraph E or any other
25 provision of law, the confidentiality of employee records is abrogated in relation to required
26 reporting, cooperating with the department or guardian ad litem in an investigation or other
27 child protective activity or giving evidence in a child protective proceeding.

28 **Sec. A-67. 22 MRSA §4309, sub-§4**, as amended by PL 2013, c. 368, Pt. OO, §8,
29 is further amended to read:

30 **4. Eligibility of minors who are parents.** An otherwise eligible person under the age
31 of 18 who has never married and who has a dependent child or is pregnant is eligible only
32 if that person and child reside in a dwelling maintained by a parent or other adult relative
33 as that parent's or relative's own home or in a foster home, ~~maternity home~~ or other adult-
34 supervised supportive living arrangement unless:

- 35 A. The person has no living parent or the whereabouts of both parents are unknown;
- 36 B. No parent will permit the person to live in the parent's home;
- 37 C. The department determines that the physical or emotional health or safety of the
38 person or dependent child would be jeopardized if that person and dependent child
39 lived with a parent;
- 40 D. The individual has lived apart from both parents for a period of at least one year
41 before the birth of any dependent child; or

1 E. The department determines, in accordance with rules adopted pursuant to this
2 section, which must be in accordance with federal regulations, that there is good cause
3 to waive this requirement.

4 For the purposes of this subsection, "parent" includes legal guardian.

5 **Sec. A-68. 22 MRSA §5304, sub-§5**, as enacted by PL 1973, c. 793, §12, is
6 repealed.

7 **Sec. A-69. 22 MRSA §5304, sub-§6**, as amended by PL 1983, c. 409, §2, is
8 repealed.

9 **Sec. A-70. 22 MRSA §5305, first ¶**, as enacted by PL 1973, c. 793, §12, is
10 amended to read:

11 State agencies shall cooperate fully with the bureau ~~and council~~ in carrying out this
12 Part and Part 2. The bureau ~~and council~~ is authorized to request such personnel,
13 financial assistance, facilities and data as are reasonably required to assist the bureau ~~and~~
14 ~~council~~ to fulfill ~~their~~ the bureau's powers and duties.

15 **Sec. A-71. 22 MRSA §5308**, as amended by PL 2013, c. 368, Pt. CCCC, §6, is
16 further amended to read:

17 **§5308. Office of Child and Family Services**

18 There is within the Department of Health and Human Services the Office of Child and
19 Family Services. The office must be a separate, distinct administrative unit, ~~which may that~~
20 is not be integrated in any way as a part or function of any other administrative unit of the
21 department. The office is equal in organizational level and status with other major
22 organizational units within the department or its successors. The office is under the
23 immediate and full supervision of the commissioner or the chief officer of whatsoever unit
24 succeeds the department.

25 It is the intent of this Part that the office ~~shall function~~ function as a central office
26 administrative unit of the department ~~with the advice of the council~~ and that the powers,
27 duties, authority and responsibility of the office may not be delegated, decentralized or
28 assigned to regional, local or other units of the department, except as provided in this
29 section; and section 6108 ~~and Title 5, section 464~~. Regarding any portion of this Part and
30 Part 2 that relate to provision of services directly to eligible people through staff employed
31 subject to the Civil Service Law by the department or other organizational units of State
32 Government, the office may carry out its powers and duties through regional or other
33 administrative units of the department or State Government.

34 Regarding any portion of this Part and Part 2 that relate to development, execution and
35 monitoring of agreements, the office shall carry out its powers and duties directly with
36 public or private, nonprofit agencies without acting through other administrative units of
37 the department as intermediaries, except as provided in section 6108. Functions relating to
38 agreements do not require the approval of any other unit of the department, except as the
39 office is responsible and accountable to the commissioner ~~and except as the office shall~~
40 ~~function with the advice of the council pursuant to Title 5, section 464 and with the consent~~
41 ~~of the Maine Committee on Aging pursuant to section 5-112, subsection 3~~ and except as
42 provided by section 6108.

1 The office is the sole agency of State Government responsible for administration of
2 this Part and Part 2 subject to the direction of the commissioner. The office shall fully
3 coordinate with appropriate state agencies and fully utilize existing support services.

4 **Sec. A-72. 22 MRSA §5309**, as corrected by RR 2021, c. 2, Pt. B, §§213 to 215, is
5 amended to read:

6 **§5309. Director**

7 The bureau is administered by a director.

8 The director ~~shall~~ must be a person qualified by training and experience with human
9 services or by satisfactory experience of a comparable nature in the direction, organization
10 and administration of public or private human services. The director ~~shall~~ must be
11 immediately and fully responsible to the commissioner and ~~shall~~ may not be partially or
12 indirectly responsible to any other official of the department.

13 The director shall serve full time in a position that is separate from and not integrated
14 in any way with another position in the department. The director may not concurrently
15 hold another title and shall perform duties solely germane to the powers and duties pursuant
16 to this Part and Part 2.

17 The director ~~shall possess~~ has full authority and responsibility for administering all the
18 powers and duties of the bureau provided in section 5310, subject to the direction of the
19 commissioner, ~~and with the advice of the council pursuant to section 5316, and the advice~~
20 ~~of the Maine Committee on Aging pursuant to section 5112, subsection 3,~~ and except as
21 otherwise provided in section 6108.

22 The director shall assume and discharge all responsibilities vested in the bureau. The
23 director may not in any case assign to another unit of the department that is not responsible
24 to the director any power or duty granted to the bureau by statute, or by rules or procedures
25 adopted pursuant to this Part and Part 2.

26 The director may employ, subject to the Civil Service Law and within the limits of
27 available funds, competent professional personnel and other staff necessary to carry out the
28 purposes of this Part and Part 2. The director shall prescribe the duties of the staff and
29 assign a sufficient number of staff full time to the bureau to achieve its powers and duties.
30 Regarding the provision of human services by the bureau directly to eligible people, the
31 director may arrange to house staff or assign staff who are responsible to the director to
32 regional or other units of the department or State Government. Regarding the development,
33 execution and monitoring of agreements, the director may not house nor assign staff to any
34 other unit of the department or State Government. Such staff shall report solely and directly
35 to the director. ~~The director shall assign staff to the council as provided in sections 5305~~
36 ~~and 5315.~~

37 **Sec. A-73. 22 MRSA §5310, first ¶**, as amended by P&SL 1975, c. 90, §C, §5, is
38 further amended to read:

39 The bureau shall establish in accordance with the purposes and intent of this Part and
40 Part 2, ~~with the advice of the council and~~ subject to the direction of the commissioner, the
41 overall planning, policy, objectives and priorities for all functions and activities relating to
42 human services, including services to older people funded by Title IV or Title VI, or their
43 successors or amendments or additions thereto of the United States Social Security Act, as

1 amended, and excepting all other services to older people ~~which that~~ are conducted or
2 supported in the State. In order to carry out the above, the bureau ~~shall have~~ has the power
3 and duty to:

4 **Sec. A-74. 22 MRSA §5310, sub-§7**, as amended by P&SL 1975, c. 90, §C, §5, is
5 further amended to read:

6 7. Function as the organizational unit of State Government with the sole responsibility
7 for conducting and coordinating, ~~with the advice of the council or of the committee and~~
8 subject to the direction of the commissioner, functions assigned to it by the commissioner,
9 and functions authorized by this Part and Part 2 and so much of the several Acts,
10 amendments and successors to them enacted by the people of the State of Maine and those
11 authorized by the United States Acts, amendments and successors to them as relate to
12 human services, including services to older people funded by Titles IV and VI, or their
13 successors or amendments or additions thereto of the United States Social Security Act, as
14 amended, and excepting all other services to older people:

15 A. The Priority Social Services Act of 1973 except services to older people in
16 accordance with section 6108; and

17 B. Title IV and VI, in their entirety, of the United States Social Security Act, as
18 amended.

19 The bureau is designated as the single agency of State Government solely responsible for
20 administering, subject to the direction of the commissioner, any state plans as may be
21 required by the above Acts, and for administering programs or Acts of the State or United
22 States relating to such human services ~~which that~~ are not the specific responsibility of
23 another state agency under state or federal law;

24 **Sec. A-75. 22 MRSA §5310, sub-§8**, as enacted by PL 1973, c. 793, §12, is
25 amended to read:

26 8. Assist, ~~with the advice of the council,~~ the ~~Legislative and Executive Branches~~
27 legislative and executive branches of State Government, especially the Governor,
28 commissioner and Bureau of the Budget, to coordinate all government efforts relating to
29 human services, except services to older people, by:

30 A. Submitting to each branch of State Government no later than September 1st of each
31 year an annual report covering its activities for the immediately past fiscal year and
32 future plans, ~~including reports of the committee;~~

33 B. Reviewing all proposed legislation, fiscal activities, plans, policies and other
34 administrative functions relating to ~~such the~~ human services made by or requested of
35 all state agencies. The bureau ~~shall have~~ has the authority to submit to those bodies
36 findings, comments and recommendations, which ~~shall be~~ are advisory. ~~Such The~~
37 The findings and comments ~~shall must~~ must recommend what modification in proposals or
38 actions ~~shall must~~ must be taken to make proposed legislation, fiscal activities and
39 administrative activities consistent with such policies and priorities; and

40 C. Making recommendations to the respective branches of State Government related
41 to improving the quality of such human services and ~~shall consult~~ consulting with and
42 be being consulted by all responsible state agencies regarding the policies, priorities
43 and objectives of functions related to human services;

1 **Sec. A-76. 22 MRSA §6203**, as amended by PL 1989, c. 878, Pt. A, §64, is further
2 amended to read:

3 **§6203. Rules; agreements**

4 **1. Rules.** The department shall ~~promulgate~~ adopt such rules as may be necessary for
5 the effective administration of adult day care pursuant to this chapter, in accordance with
6 ~~the Maine Administrative Procedure Act~~, Title 5, chapter 375. In the development of these
7 rules, the department shall consult with ~~the Maine Committee on Aging~~, the associations
8 representing care facilities and area agencies on aging.

9 **2. Agreements.** In order to provide adult day care and other services, the department
10 may enter into agreements with long-term health care facilities and community-based
11 programs, separate and distinct from any other agreements between the department and the
12 same facility or programs.

13 ~~Any~~ A facility or program providing adult day care pursuant to this chapter shall enter into
14 an agreement with the department. Each agreement shall must specify, among other things,
15 the services to be provided, the fees for services, the method of payment, records to be
16 maintained and the provisions for evaluating the services provided.

17 **Sec. A-77. 22 MRSA §7302, sub-§5**, as repealed and replaced by PL 2009, c. 652,
18 Pt. A, §32, is amended to read:

19 **5. In-home and community support services.** "In-home and community support
20 services" means health and social services and other assistance required to enable adults
21 with long-term care needs to remain in their places of residence. These services include,
22 but are not limited to, self-directed care services; medical and diagnostic services;
23 professional nursing; physical, occupational and speech therapy; dietary and nutrition
24 services; home health aide services; personal care assistance services; companion and
25 attendant services; ~~handyman~~ home repair and home maintenance, chore and homemaker
26 services; respite care; hospice care; counseling services; transportation; small rent
27 subsidies; various devices that lessen the effects of disabilities; and other appropriate and
28 necessary social services.

29 **Sec. A-78. 22 MRSA §7802, sub-§1-A**, as amended by PL 1989, c. 400, §13 and
30 PL 2013, c. 368, Pt. CCCC, §7, is further amended to read:

31 **1-A. Consolidation of functions.** All staff performing general licensing functions
32 within the Office of Child and Family Services, including the out-of-home abuse and
33 neglect investigating team when investigating pursuant to section ~~5005~~ 8354, subsection ~~3~~
34 2, paragraph C, shall be are consolidated as a single organizational unit.

35 **Sec. A-79. 22 MRSA §8204, sub-§1**, as enacted by PL 1977, c. 515, §3, is amended
36 to read:

37 **1. License required.** ~~Any~~ An individual who operates a child placing agency shall be
38 is subject to the licensing requirements of the department, as specified under this chapter
39 and under chapter 1663. ~~Any~~ An individual who advertises ~~himself or holds himself out as~~
40 or claims to perform the service of placing or finding homes for children for the purpose of
41 adoption, shall be is deemed to operate a child placing agency.

42 **Sec. A-80. 22 MRSA §8204, sub-§2**, as enacted by PL 1977, c. 515, §3, is amended
43 to read:

1 **2. License not required.** ~~Any~~ An individual who does not advertise ~~himself or hold~~
2 ~~himself out as~~ or claim to perform the service of placing or finding homes for children for
3 the purpose of adoption, but who places or assists in placing a child for adoption, ~~shall not~~
4 ~~be deemed~~ is not considered to operate a child placing agency and ~~shall~~ is not be subject to
5 the licensing requirements of the department, as specified under this chapter and under
6 chapter 1663.

7 **Sec. A-81. 22 MRSA §8602, first ¶**, as enacted by PL 1987, c. 389, §5 and
8 amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

9 The Department of Health and Human Services, in consultation with adult day care
10 providers ~~and the Maine Committee on Aging~~, shall ~~promulgate~~ adopt rules for adult day
11 care programs ~~which shall that~~ include, but ~~are~~ not be limited to, rules pertaining to the
12 health and safety of the adult clients and staff, the quality of the program provided, the
13 administration of medication and licensing procedures.

14 **Sec. A-82. 24 MRSA §2308-A, sub-§3, ¶B**, as enacted by PL 1997, c. 344, §5, is
15 amended by amending subparagraph (1) to read:

16 (1) Title 24-A, section 222, subsections 2 to 10 and Title 24-A, section 222,
17 subsections ~~12~~ 13-A to 18;

18 **Sec. A-83. 24-A MRSA §721, sub-§3**, as enacted by PL 1969, c. 132, §1, is
19 amended to read:

20 **3.** Reinsurance ceded as authorized by ~~section 731 shall~~ subchapter 3 must be
21 deducted in determining risk retained. As to surety risks, deduction ~~shall~~ must be made of
22 the amount assumed by any authorized cosurety and the value of any security deposited,
23 pledged or held subject to the surety's consent and for the surety's protection.

24 **Sec. A-84. 24-A MRSA §2209, sub-§1**, as enacted by PL 1997, c. 677, §3 and
25 affected by §5, is amended to read:

26 **1. Required notice.** A regulated insurance entity or insurance support organization
27 may not prepare or request an investigative consumer report about an insurance consumer
28 in connection with an insurance transaction involving an application for insurance, a policy
29 renewal, a policy reinstatement or a change in insurance benefits unless the regulated
30 insurance entity complies with ~~Title 10, section 1314~~ the federal Consumer Credit
31 Protection Act, 15 United States Code, Section 1681d and informs the consumer in writing
32 that the consumer may request to be interviewed in connection with the preparation of the
33 investigative consumer report.

34 **Sec. A-85. 24-A MRSA §2328**, as amended by PL 1991, c. 885, Pt. B, §10 and
35 affected by §13, is further amended to read:

36 **§2328. Examinations**

37 The superintendent shall examine the affairs, transactions, accounts and records of ~~each~~
38 ~~rating organization licensed in this State as provided in section 2310~~, of each advisory
39 organization licensed in this State as provided in section 2321-A, and of joint underwriters
40 and joint reinsurers as defined in section 2322-A, as often as the superintendent ~~deems~~
41 considers advisable, but not less frequently than once every 5 years. The examination must
42 be conducted in the same manner and is subject to the same applicable provisions as apply
43 to examination of insurers in chapter 3. The reasonable costs of any such examination must

1 be paid by the organization or association so examined. In lieu of any such examination,
2 the superintendent may accept the report of an examination made by the insurance
3 supervisory official of another state, pursuant to the laws of such state.

4 If the examination of a rating organization is satisfied by acceptance of another state's
5 report on that rating organization, the superintendent shall submit a report to the joint
6 standing committee of the Legislature having jurisdiction over banking and insurance
7 concerning the superintendent's analysis of that report, any deficiencies noted by the
8 superintendent or in the other state's report and what action has been taken to correct those
9 deficiencies.

10 **Sec. A-86. 24-A MRSA §2482, sub-§1**, as enacted by PL 2003, c. 680, §1, is
11 amended to read:

12 **1. Appeal to review panel appointed by commission.** Not later than 30 days after
13 the commission has given notice of a disapproved product or advertisement filed with the
14 commission, the insurer or 3rd-party filer whose filing was disapproved may appeal the
15 determination to a review panel appointed by the commission. The commission shall
16 promulgate rules to establish procedures for appointing a review panel and provide for
17 notice and hearing. An allegation that the commission, in disapproving a product or
18 advertisement filed with the commission, acted arbitrarily, capriciously or in a manner that
19 is an abuse of discretion or otherwise not in accordance with the law is subject to judicial
20 review in accordance with section ~~2474~~ 2478, subsection ~~5~~ 7.

21 **Sec. A-87. 24-A MRSA §2540**, as amended by PL 1979, c. 141, is further amended
22 to read:

23 **§2540. "Wholesale life insurance" defined**

24 "Wholesale life insurance" is that plan of life insurance, other than salary savings life
25 insurance or pension trust insurance and annuities, under which individual policies are
26 issued to the employees of any employer and where such policies are issued on the lives of
27 not less than 3 employees at date of issue. Premiums for such policies ~~shall~~ must be paid
28 either wholly from the employer's funds, or funds contributed by ~~him~~ the employer, or
29 partly from such funds and partly from funds contributed by the insured employees. ~~In~~
30 ~~addition to the wholesale plans referred to in this section, wholesale life insurance may also~~
31 ~~be issued to any group of persons eligible for franchise health insurance under section 2740,~~
32 ~~subject to the terms and conditions of that section.~~

33 **Sec. A-88. 24-A MRSA §2736-C, sub-§6, ¶A**, as amended by PL 1995, c. 332,
34 Pt. K, §1, is further amended to read:

35 A. Each carrier must actively market individual health plan coverage, ~~including any~~
36 ~~standardized plans defined pursuant to subsection 8,~~ to individuals in this State.

37 **Sec. A-89. 24-A MRSA §2736-C, sub-§9**, as amended by PL 2011, c. 364, §8, is
38 further amended to read:

39 **9. Exemption for certain associations.** The superintendent may exempt a group
40 health insurance policy or group nonprofit hospital or medical service corporation contract
41 issued to an association group, organized pursuant to section 2805-A, from the
42 requirements of subsection 3, paragraph A; and subsection 6, paragraph A; ~~and subsection~~
43 ~~8 if:~~

- 1 A. Issuance and renewal of coverage under the policy or contract is guaranteed to all
- 2 members of the association who are residents of this State and to their dependents;
- 3 B. Rates for the association comply with the premium rate requirements of subsection
- 4 2 or are established on a nationwide basis and substantially comply with the purposes
- 5 of this section, except that exempted associations may be rated separately from the
- 6 carrier's other individual health plans, if any;
- 7 C. The group's anticipated loss ratio, as defined in subsection 5, is at least 75%;
- 8 D. The association's membership criteria do not include age, health status, medical
- 9 utilization history or any other factor with a similar purpose or effect;
- 10 E. The association's group health plan is not marketed to the general public;
- 11 F. The association does not allow insurance agents or brokers to market association
- 12 memberships, accept applications for memberships or enroll members, except when
- 13 the association is an association of insurance agents or brokers organized under section
- 14 2805-A;
- 15 G. Insurance is provided as an incidental benefit of association membership and the
- 16 primary purposes of the association do not include group buying or mass marketing of
- 17 insurance or other goods and services; and
- 18 H. Granting an exemption to the association does not conflict with the purposes of this
- 19 section.

20 Except for individuals with grandfathered health plans under the federal Affordable Care
21 Act, this subsection does not apply to policies, contracts or certificates that are executed,
22 delivered, issued for delivery, continued or renewed in this State on or after January 1,
23 2014.

24 **Sec. A-90. 24-A MRSA §2904, first ¶**, as corrected by RR 2021, c. 1, Pt. B, §254,
25 is amended to read:

26 Whenever any person, including an administrator, executor, or guardian, recovers a
27 final judgment against any other person for any loss or damage specified in section 2903,
28 the judgment creditor is entitled to have the insurance money applied to the satisfaction of
29 the judgment by bringing a civil action, in the judgment creditor's own name, against the
30 insurer to reach and apply the insurance money, if when the right of action accrued, the
31 judgment debtor was insured against such liability and if before the recovery of the
32 judgment the insurer had had notice of such accident, injury or damage. The insurer has the
33 right to invoke the defenses described in this section in the proceedings. The provisions of
34 this paragraph and section 2903 do not apply:

35 **Sec. A-91. 24-A MRSA §3423, sub-§1**, as corrected by RR 2021, c. 1, Pt. B, §281,
36 is amended to read:

37 **1.** If a domestic stock insurer's paid-in capital stock, as represented by the aggregate
38 par value of its outstanding capital stock, becomes impaired, or the assets of a domestic
39 mutual insurer are less than its liabilities and the minimum amount of basic surplus required
40 to be maintained by it under this Title for authority to transact the kinds of insurance being
41 transacted, the superintendent shall at once determine the amount of deficiency and serve
42 notice upon the insurer to cure the deficiency and file proof thereof with the ~~insurer~~
43 superintendent within the period specified in the notice, which period may not be less than

1 30 nor more than 90 days from the date of the notice. Such notice may be so served by
2 delivery to the insurer, or by mailing to the insurer addressed to its registered office in this
3 State.

4 **Sec. A-92. 24-A MRSA §3871, sub-§2**, as corrected by RR 2021, c. 1, Pt. B, §319,
5 is amended to read:

6 **2.** ~~If an~~ An order to show cause why a receiver, conservator, rehabilitator or liquidator
7 of the insurer should not be appointed is issued while the subscriber's policy is in force or
8 within one year after its termination.

9 **Sec. A-93. 24-A MRSA §4128**, as corrected by RR 2021, c. 1, Pt. B, §§332 to 334,
10 is amended to read:

11 **§4128. Licensing of agents**

12 Insurance producers of societies must be licensed in accordance with chapter 16
13 ~~provided the examination requirements of chapter 16 are not applicable to any insurance~~
14 ~~producer who was in the service of a society on January 1, 1978, and provided~~ except that
15 no insurance producer's license is required ~~of the following if:~~

16 **1. Officer devoting substantial time to activities other than solicitation or**
17 **negotiation of insurance contracts.** ~~Any~~ An officer, employee or secretary of ~~any such a~~
18 society or of any subordinate lodge or branch ~~thereof who~~ of that society devotes
19 substantially all of the officer's, employee's or secretary's time to activities other than the
20 solicitation or negotiation of insurance contracts and ~~who~~ receives no commission or other
21 compensation directly dependent upon the number or amount of contracts solicited or
22 negotiated;

23 **2. Agent devoting less than 50% of time to solicitation and procurement of**
24 **insurance contracts.** ~~Any~~ An agent or representative of a society ~~who~~ devotes less than
25 50% of the agent's or representative's time to the solicitation and procurement of insurance
26 contracts for ~~such the~~ the society. ~~Any~~ A person, who in the preceding calendar year has
27 solicited and procured life insurance in excess of \$200,000, face amount, or, in the case of
28 any other kind or kinds of insurance that the society may write, on the persons of more than
29 25 individuals and who has received or will receive a commission or other compensation
30 ~~therefor,~~ for the solicitation and procurement is presumed to be devoting 50% of the
31 person's time to the solicitation or procurement of insurance contracts for ~~such the~~ the society;
32 or

33 **3. Persons who do not effect insurance.** ~~Any~~ A member of a society ~~who~~ does not
34 effect insurance and ~~whose that member's~~ whose solicitation or negotiation is incidental to
35 securing new members for the member's society and ~~whose that member's~~ whose only
36 remuneration consists of prizes in the form of merchandise or payments of a nominal
37 amount.

38 **Sec. A-94. 24-A MRSA §4381**, as corrected by RR 2021, c. 1, Pt. B, §375, is
39 amended to read:

40 **§4381. Offsets**

41 **1.** In all cases of mutual debts or mutual credits between the insurer and another person
42 in connection with any action or proceeding under this chapter, ~~such~~ credits and debts ~~shall~~

1 must be set off and the balance only ~~shall be~~ allowed or paid, except as provided in
2 subsection 2.

3 2. No An offset ~~shall be~~ is not allowed in favor of ~~any such a~~ person ~~where~~ if:

4 A. The obligation of the insurer to ~~such the~~ person would not at the date of the entry
5 of any liquidation order or otherwise, as provided in section 4376, entitle ~~such the~~
6 person to share as a claimant in the assets of the insurer; ~~or~~

7 B. The obligation of the insurer to ~~such the~~ person was purchased by or transferred to
8 ~~such the~~ person with a view of its being used as an offset; ~~or~~

9 C. The obligation of ~~such the~~ person is to pay an assessment levied against the
10 members of a mutual insurer, or against the subscribers of a reciprocal insurer, or is to
11 pay a balance upon the subscription to the capital stock of a stock insurer.

12 **Sec. A-95. 25 MRSA §2469, sub-§1, ¶A**, as enacted by PL 2021, c. 194, §1 and
13 affected by §3, is amended to read:

14 A. With an assembly that incorporates a sensor control component and an alarm
15 notification that detects elevations in propane, natural gas or any ~~liquified~~ liquefied
16 petroleum gas;

17 **Sec. A-96. 25 MRSA §2469, sub-§2**, as amended by PL 2021, c. 676, Pt. D, §5, is
18 further amended to read:

19 2. **Fuel gas detector required.** The building owner shall install, or cause to be
20 installed, in accordance with the manufacturer's requirements at least one approved fuel
21 gas detector in every room containing an appliance that combusts propane, natural gas or
22 any ~~liquified~~ liquefied petroleum gas in:

23 A. Each unit in any building of multifamily occupancy;

24 B. A fraternity house, sorority house or dormitory that is affiliated with an educational
25 facility;

26 C. A children's home, emergency children's shelter, children's residential care facility,
27 shelter for homeless children or specialized children's home as defined in Title 22,
28 section 8101, subsections 1, 2, 4, 4-A and 5, respectively;

29 D. A hotel, motel or inn;

30 E. A mixed use occupancy that contains a dwelling unit;

31 F. Beginning January 1, 2026, a business occupancy;

32 G. Beginning January 1, 2026, a mercantile occupancy; or

33 H. Beginning January 1, 2026, an assembly occupancy.

34 **Sec. A-97. 25 MRSA §2469, sub-§4**, as enacted by PL 2021, c. 194, §1 and
35 affected by §3, is amended to read:

36 4. **Transfer of building.** A person who, after January 1, 2022, acquires by sale or
37 exchange a building listed in subsection 2, paragraph A shall install fuel gas detectors in
38 accordance with subsection 2 in the acquired building within 30 days of acquisition or
39 occupancy of the building, whichever is later, if fuel gas detectors in accordance with
40 subsection 2 are not already present, and shall certify at the closing of the transaction that

1 fuel gas detectors will be installed. This certification must be signed and dated by the
2 person acquiring the building. A fuel gas detector must be installed in accordance with the
3 manufacturer's requirements at the time of installation in each area containing an appliance
4 fueled by propane, natural gas or ~~liquified~~ liquefied petroleum gas. A person may not have
5 a claim for relief against a property owner, a property purchaser, an authorized agent of a
6 property owner or purchaser, a person in possession of real property, a closing agent or a
7 lender for any damages resulting from the operation, maintenance or effectiveness of a fuel
8 gas detector. Violation of this subsection does not create a defect in title.

9 **Sec. A-98. 26 MRSA §42-A, sub-§2, ¶A**, as amended by PL 1987, c. 559, Pt. B,
10 §6, is further amended to read:

11 A. The development and application of a statewide safety education and training
12 program to familiarize employers, supervisors, employees and union leaders with
13 techniques of accident investigation and prevention, ~~including education and training~~
14 ~~assistance to employers and employees under the chemical substance identification law~~
15 ~~in sections 1715 and 1720;~~

16 **Sec. A-99. 26 MRSA §1043, sub-§11, ¶D** is repealed and the following enacted
17 in its place:

18 D. Service is considered to be localized within a state if:

19 (1) The service is performed entirely within a state; or

20 (2) The service is performed both within and outside a state, but the service
21 performed outside a state is incidental to the individual's service within the State,
22 including service that is temporary or transitory in nature or consists of isolated
23 transactions.

24 Notwithstanding any other provisions of this section, "employment" includes all
25 service performed after January 1, 1947 by an officer or member of the crew of an
26 American vessel on or in connection with the vessel, as long as the operating office
27 from which the operations of the vessel operating on navigable waters within, or within
28 and outside, the United States are ordinarily and regularly supervised, managed,
29 directed or controlled is within the State.

30 **Sec. A-100. 26 MRSA §1162**, as amended by PL 2021, c. 456, §11, is further
31 amended to read:

32 **§1162. Withdrawals**

33 Moneys must be requisitioned from the State's account in the Unemployment Trust
34 Fund solely for the payment of benefits and for the payment of refunds pursuant to section
35 1043, subsection 11, paragraph F, subparagraph (2) and section 1225 in accordance with
36 rules prescribed by the commissioner. The commissioner shall from time to time
37 requisition from the Unemployment Trust Fund the amounts, not exceeding the amounts
38 standing to this State's account therein, as the commissioner considers necessary for the
39 payment of the benefits and refunds for a reasonable future period. Upon receipt thereof
40 the Treasurer of State shall deposit the moneys in the benefit account and warrants must be
41 issued for the payment of benefits and refunds solely from the benefit account. All warrants
42 issued for the payment of benefits and refunds must bear the signature of the commissioner
43 or the commissioner's duly authorized agent for that purpose. When so signed and

1 delivered to the payee, the warrants become a check against a designated bank or trust
2 company acting as a depository of the State Government. The commissioner is the final
3 judge of the legality or propriety of any award of benefits, or the amount thereof, appearing
4 in any such warrant prepared by the commissioner, subject only to the right of appeal as
5 provided in section 1194, ~~subsections~~ subsection 8 and 9. Any balance of moneys
6 requisitioned from the Unemployment Trust Fund that remains unclaimed or unpaid in the
7 benefit account after the expiration of the period for which the sums were requisitioned
8 must either be deducted from estimates for, and may be utilized for the payment of, benefits
9 and refunds during succeeding periods or, in the discretion of the commissioner, be
10 redeposited with the United States Secretary of the Treasury, to the credit of this State's
11 account in the Unemployment Trust Fund, as provided in section 1161.

12 **Sec. A-101. 26 MRSA §1285, sub-§1, ¶C**, as corrected by RR 2021, c. 2, Pt. A,
13 §93, is repealed and the following enacted in its place:

14 C. To execute in writing an agreement between the public employer and the bargaining
15 agent. An agreement under this paragraph is subject to negotiation and may not exceed
16 2 years;

17 **Sec. A-102. 28-A MRSA §1066-A, sub-§1**, as amended by PL 1997, c. 373, §91,
18 is further amended to read:

19 **1. Issuance of licenses.** The bureau may issue licenses under this section for the sale
20 of malt liquor to be consumed on the premises to taverns as defined in section 2, subsection
21 ~~46~~ 15, paragraph T-1.

22 **Sec. A-103. 28-A MRSA §1074**, as amended by PL 2021, c. 598, §6 and c. 658,
23 §194, is repealed and the following enacted in its place:

24 **§1074. Outdoor stadiums**

25 **1. Issuance of licenses.** The bureau may issue a license under this section for the sale
26 of malt liquor, wine and spirits for on-premises consumption to an outdoor stadium, as
27 defined in section 2, subsection 15, paragraph M. A concessionaire or lessee may be issued
28 a license under this section, regardless of whether it controls the premises, as long as that
29 concessionaire or lessee complies with the notice provisions applicable to qualified catering
30 services in section 1076, subsection 7 prior to exercising the license.

31 **2. No sales at events for children.** A licensee under this section may not sell malt
32 liquor, wine or spirits at an outdoor stadium at any event primarily involving primary or
33 secondary schoolchildren.

34 **3. Conditions on sales.** A licensee under this section may not sell malt liquor, wine
35 or spirits in the spectator stands at an outdoor stadium. A licensee may sell malt liquor,
36 wine or spirits only by the glass in plastic or paper cups.

37 **Sec. A-104. 28-A MRSA §1355-A, sub-§5, ¶K**, as enacted by PL 2021, c. 742,
38 §1 and reallocated by RR 2021, c. 2, Pt. A, §100, is amended to read:

39 K. A rectifier and a holder of a distillery or small distillery license shall comply with
40 all applicable requirements of Title 38, section ~~4612~~ 1615.

41 **Sec. A-105. 28-A MRSA §1404, sub-§1, ¶D**, as repealed by PL 2021, c. 622, §4
42 and amended by c. 658, §245, is repealed.

1 **Sec. A-106. 28-A MRSA §1404, sub-§1, ¶E**, as amended by PL 2021, c. 622, §4
2 and c. 658, §246, is repealed and the following enacted in its place:

3 E. On receipt of the copy of the completed purchase order form and payment for excise
4 taxes submitted under paragraph C, the bureau shall promptly process the payment and
5 submit copies of the completed purchase order form indicating that excise taxes have
6 been paid to the unbonded wholesale licensee and to the certificate of approval holder
7 with which the unbonded wholesale licensee wishes to place the order.

8 **Sec. A-107. 28-A MRSA §1405, sub-§1, ¶C**, as amended by PL 2021, c. 622, §5
9 and c. 658, §248, is repealed and the following enacted in its place:

10 C. The bonded wholesale licensee shall submit a copy of the completed purchase order
11 form to the certificate of approval holder with which the bonded wholesale licensee
12 wishes to place the order.

13 **Sec. A-108. 29-A MRSA §255, sub-§1, ¶A**, as enacted by PL 1995, c. 645, Pt. B,
14 §6 and affected by §24, is amended to read:

15 A. The Secretary of State has received a written request along with a copy of a
16 protection order that has been issued under Title 5, section 4654 or 4655; Title 15,
17 section 321; Title ~~19~~ 19-A, section ~~765~~ 4006 or ~~766~~ 4007; or Title 22, chapter 1071 to
18 protect the requestor from harassment or abuse; or

19 **Sec. A-109. 30-A MRSA §1601, 2nd ¶**, as enacted by PL 1987, c. 737, Pt. A, §2
20 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is
21 further amended to read:

22 This section does not apply to ~~sections 1602 and~~ section 1603 and section 1606,
23 subsection 1.

24 **Sec. A-110. 30-A MRSA §1603**, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt.
25 C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further
26 amended to read:

27 **§1603. Contracts subject to cancellation or suspension**

28 Except for contracts made under section ~~1602~~ 1606, subsection 1, any contract for the
29 employment of prisoners made by the county commissioners with any person, firm or
30 corporation, ~~shall~~ must be made subject to the right of the county commissioners to
31 withdraw, cancel or suspend the contract in whole or in part.

32 **Sec. A-111. 30-A MRSA §1658, 2nd ¶**, as amended by PL 2021, c. 676, Pt. B, §3,
33 is further amended to read:

34 The county commissioners may purchase, lease, contract or enter into agreements for
35 the use of facilities to house minimum security prisoners who have been sentenced to the
36 county jail. These prisoners must be involved in restitution, work or educational release,
37 or rehabilitative programs. The funds to purchase, lease or contract for these facilities and
38 to provide any programs in these facilities may be taken from the funds received by the
39 counties pursuant to Title 34-A, section ~~1210-D~~ 1210-E. Any facilities used to house
40 prisoners pursuant to the authority granted by this section are subject to standards
41 established by the Department of Corrections pursuant to Title 34-A, section 1208-A.

1 **Sec. A-112. Effective date.** That section of this Part that amends the Maine Revised
2 Statutes, Title 30-A, section 1658 takes effect July 1, 2023.

3 **Sec. A-113. 30-A MRSA §1671, sub-§3, ¶A,** as amended by PL 2015, c. 329, Pt.
4 A, §18, is further amended to read:

5 A. Developing and adopting a mission statement ~~consistent with the purposes of the~~
6 ~~State Board of Corrections under Title 34-A, section 1801;~~

7 **Sec. A-114. 32 MRSA §83, sub-§5,** as amended by PL 1983, c. 693, §2, is further
8 amended to read:

9 **5. Ambulance service.** "Ambulance service" means any person, persons or
10 organization ~~which that~~ holds itself out to be a provider of transportation of ill or injured
11 persons or ~~which that~~ routinely provides transportation for ill or injured persons. For the
12 purposes of this chapter, the Maine Army National Guard, the Maine Air National Guard
13 and the United States Armed Forces ~~shall are not be~~ considered ambulance services. ~~It~~
14 "Ambulance service" does not mean a person, persons or an organization ~~which that~~
15 transports ill or injured persons for reasons not connected with their illness or injury. ~~It~~
16 "Ambulance service" does not mean a nursing home licensed under Title 22, chapter 405,
17 a ~~boarding home residential care facility or assisted living program~~ licensed under Title 22,
18 chapter ~~1665~~ 1664, a children's home licensed under Title 22, chapter 1669, or similar
19 residential facility when transporting its own residents or those of another similarly
20 licensed facility when those residents do not require emergency medical treatment.

21 **Sec. A-115. 32 MRSA §2298, sub-§1,** as enacted by PL 2021, c. 324, §2, is
22 amended to read:

23 **1. Effective date Assembly; rules.** ~~This compact becomes effective on the date on~~
24 ~~which the compact statute is enacted into law in the 10th member state.~~ The provisions;
25 ~~which become effective at that time; of this compact~~ are limited to the powers granted to
26 the commission relating to assembly and the promulgation of rules. ~~Thereafter, the~~ The
27 commission shall meet and exercise rule-making powers necessary to the implementation
28 and administration of the compact.

29 **Sec. A-116. 32 MRSA §2561,** as amended by PL 2019, c. 627, Pt. B, §10, is further
30 amended to read:

31 **§2561. Membership; qualifications; tenure; vacancies**

32 The Board of Osteopathic Licensure, as established by Title 5, section 12004-A,
33 subsection 29, and in this chapter called the "board," consists of 11 members appointed by
34 the Governor. Members must be residents of this State. Six members must be graduates
35 of a school or college of osteopathic medicine approved by the American Osteopathic
36 Association and must have been, at the time of appointment, actively engaged in the
37 practice of the profession of osteopathic medicine in the State for a continuous period of at
38 least 5 years preceding their appointment to the board. Two members must be physician
39 assistants licensed under this chapter who have been actively engaged in the profession of
40 physician assistant in this State for at least 5 years preceding appointment to the board.
41 Three members must be public members. Consumer groups may submit nominations to
42 the Governor for the members to be appointed to represent the interest of consumers. A
43 full term of appointment is for 5 years. Appointment of members must comply with Title

1 10, section ~~60~~ 8009. A member of the board may be removed from office for cause by the
2 Governor.

3 **Sec. A-117. 32 MRSA §3302, sub-§1**, as amended by PL 2017, c. 210, Pt. D, §3,
4 is further amended to read:

5 **1. License required.** A license is required for any individual who is engaged in
6 plumbing or performing plumbing installations. ~~No~~ A license is not required for any
7 activity for which a permit is not required under Title ~~30~~ 30-A, section ~~3223 or its successor~~
8 4215. This section does not apply to the following:

9 A. Plumbing by regular employees of public utilities as defined in Title 35-A, section
10 102, when working as such;

11 B. Plumbing by oil burner technicians, duly licensed under chapter 139, and propane
12 and natural gas installers, licensed under chapter 139, except that this exception only
13 applies to hot and cold water connections to existing piping in the same room where
14 the installation is taking place and does not apply beyond any existing branch
15 connection supplying water;

16 C. Plumbing by a person in a single-family residence occupied or to be occupied by
17 that person as that person's bona fide personal abode as long as the installation
18 conforms with board laws and rules; and

19 D. Plumbing by a pump installer who is duly licensed pursuant to section 4700-I,
20 subsection 2, except that this exception is limited to installing piping from the cold
21 water distribution pipe at the pressure tank's main shut-off valve to the existing water
22 supply piping as long as the piping is located in the same room as the tank, the length
23 of the piping is no longer than 15 feet and the piping does not extend beyond any
24 existing branches. Such plumbing must conform to the board's laws and rules.

25 **Sec. A-118. 32 MRSA §3850-C, sub-§1**, as enacted by PL 2021, c. 331, §1, is
26 amended to read:

27 **1. Effective date Assembly; rules.** ~~The compact comes into effect on the date on~~
28 ~~which the compact is enacted into law in the 7th compact state. The provisions, which~~
29 ~~become effective at that time, of this compact are limited to the powers granted to the~~
30 ~~commission relating to assembly and the promulgation of rules. Thereafter, the~~ The
31 commission shall meet and exercise rule-making powers necessary for the implementation
32 and administration of the compact.

33 **Sec. A-119. 33 MRSA §1952**, as amended by PL 2019, c. 496, §§1 to 3 and repealed
34 by c. 498, §21, is repealed.

35 **Sec. A-120. 33 MRSA §1953**, as amended by PL 2019, c. 496, §4 and repealed by
36 c. 498, §21, is repealed.

37 **Sec. A-121. 33 MRSA §1959**, as amended by PL 2019, c. 496, §5 and repealed by
38 c. 498, §21, is repealed.

39 **Sec. A-122. 33 MRSA §1979**, as amended by PL 2019, c. 496, §6 and repealed by
40 c. 498, §21, is repealed.

41 **Sec. A-123. 34-A MRSA §1214, sub-§1**, as amended by PL 2021, c. 676, Pt. B,
42 §4, is further amended to read:

1 **1. Establishment.** The Office of Victim Services, referred to in this section as the
2 "office," is established within the department to advocate for compliance by the
3 department, any correctional facility, any detention facility, community corrections as
4 defined in section ~~1210-D~~ 1210-E, subsection 2 1, paragraph A or any contract agency with
5 all laws, administrative rules and institutional and other policies relating to the rights and
6 dignity of victims.

7 **Sec. A-124. 34-A MRSA §1214, sub-§3, ¶B**, as amended by PL 2021, c. 676, Pt.
8 B, §5, is further amended to read:

9 B. Intercede on behalf of victims with officials of the department, any correctional
10 facility, any detention facility, community corrections as defined in section ~~1210-D~~
11 1210-E, subsection 2 1, paragraph A or any contract agency or assist these persons in
12 the resolution of victim-related issues;

13 **Sec. A-125. Effective date.** Those sections of this Part that amend the Maine
14 Revised Statutes, Title 34-A, section 1214, subsection 1 and subsection 3, paragraph B take
15 effect July 1, 2023.

16 **Sec. A-126. 35-A MRSA §1316**, as amended by PL 2021, c. 659, §§5 to 9 and c.
17 702, §4, is repealed and the following enacted in its place:

18 **§1316. Testimony presented by employees of public utilities, competitive electricity**
19 **providers, affiliated interests or utility contractors to legislative committees,**
20 **the Public Utilities Commission and the Public Advocate**

21 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
22 following terms have the following meanings.

23 A. "Employee" means a person who currently performs or formerly performed a
24 service for wages or other remuneration under a contract of hire, expressed or implied,
25 for a public utility, competitive electricity provider, affiliated interest or utility
26 contractor.

27 A-1. "Affiliated interest" has the same meaning as in section 707, subsection 1,
28 paragraph A.

29 B. "Employer" means a public utility, competitive electricity provider, affiliated
30 interest or utility contractor licensed to do business in this State with one or more
31 employees.

32 C. "Legislative committee" means a joint standing committee or a joint select
33 committee of the Legislature, a task force, commission or council or any other
34 committee established by the Legislature and composed wholly or partly of Legislators
35 for the purpose of conducting legislative business.

36 D. "Own time" means an employee's vacation or personal time, earned as a condition
37 of employment.

38 E. "Utility contractor" means a person that provides goods or services to a public utility
39 or competitive electricity provider.

40 **2. Right of employees to provide testimony.** Employees have the right to represent
41 themselves and to testify before or provide information to a legislative committee, the
42 commission or the Public Advocate on their own time. An employee who complies with

1 this section may not be denied the right to testify before or provide information to a
2 legislative committee, the commission or the Public Advocate.

3 **2-A. Right of utility contractors to provide testimony.** A utility contractor has the
4 right to testify before or provide information to a legislative committee, the commission or
5 the Public Advocate.

6 **3. Discharge of, threats to or discrimination against employees for testimony**
7 **presented to legislative committees, the commission or the Public Advocate.** A
8 supervisor may not discharge, threaten or otherwise discriminate against an employee
9 regarding the employee's compensation, terms, conditions, location or privileges of
10 employment because the employee, in compliance with this section, in good faith testifies
11 before or provides information to a legislative committee, the commission or the Public
12 Advocate regarding the operation of the business of a public utility or competitive
13 electricity provider or because the employee brings the subject matter of the testimony or
14 information to the attention of a person having supervisory authority.

15 This subsection does not apply to an employee who has testified before or provided
16 information to a legislative committee, the commission or the Public Advocate unless the
17 employee has first brought the subject matter of the testimony or information in writing to
18 the attention of a person having supervisory authority with the employer and has allowed
19 the employer a reasonable time to address the subject matter of the testimony or
20 information. If appropriate, the employer shall respond in writing.

21 **4. Exceptions.** The protections created in subsections 3 and 9 do not apply to
22 testimony or information that, upon reasonable inquiry by the employee or utility
23 contractor, would be found to be false.

24 **5. Civil actions for injunctive relief or other remedies by employees.** An employee
25 who alleges a violation of rights under this section and who has made reasonable efforts to
26 exhaust all grievance procedures, as provided for in the contract of employment or that
27 otherwise may be available at the employee's place of employment, may bring a civil
28 action, including an action for injunctive relief, within 90 days after the occurrence of that
29 alleged violation or after the grievance procedure or similar process terminates. The action
30 may be brought in the Superior Court for the county where the alleged violation occurred,
31 the county where the complainant resides or the county where the person against whom the
32 civil complaint is filed resides. An employee must establish each element of the employee's
33 case by a preponderance of the evidence.

34 **5-A. Civil actions for injunctive relief or other remedies by utility contractors.** A
35 utility contractor that alleges a violation of rights under this section may bring a civil action,
36 including an action for injunctive relief, within 90 days after the occurrence of that alleged
37 violation. The action may be brought in the Superior Court for the county where the alleged
38 violation occurred, the county where the complainant resides or the county where the
39 person against whom the civil complaint is filed resides. A utility contractor must establish
40 each element of the utility contractor's case by a preponderance of the evidence.

41 **6. Remedies ordered by court.** A court, in rendering a judgment in an action brought
42 pursuant to this section, may order reinstatement of the employee, the payment of back
43 wages, full reinstatement of fringe benefits and seniority rights or any combination of these
44 remedies. If an employee or utility contractor is the prevailing party, a court shall award

1 the employee or utility contractor all or a portion of the costs of litigation, including
2 reasonable attorney's fees and witness fees.

3 **7. Agreements.** This section does not diminish or impair the rights of a person under
4 any collective bargaining agreement. A public utility, competitive electricity provider or
5 affiliated interest may not enter into an agreement preventing employees from exercising
6 their rights to testify before or provide information to a legislative committee, the
7 commission or the Public Advocate pursuant to this section.

8 **8. Jury trial; common-law rights.** Any action brought under this section may be
9 heard by a jury. Nothing in this section derogates any common-law rights of an employee
10 or employer.

11 **9. Contracts with utility contractors.** If a utility contractor, in compliance with this
12 section and in good faith, testifies before or provides information to a legislative committee,
13 the commission or the Public Advocate, a public utility or competitive electricity provider
14 may not respond to such action by the utility contractor by:

15 A. Terminating or threatening to terminate a contract with the utility contractor; or

16 B. Harming or threatening to harm the utility contractor financially.

17 **10. Notice of rights required.** A public utility and a competitive electricity provider
18 shall notify the public utility's and the competitive electricity provider's employees,
19 affiliated interests and utility contractors of their rights under this section.

20 **11. Penalties.** The commission may impose penalties for violations of this section.
21 This subsection does not apply in the case of an employee of a utility contractor alleging a
22 violation under subsection 3.

23 **12. Rulemaking.** The commission may adopt rules to implement this section. Rules
24 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter
25 375, subchapter 2-A.

26 **Sec. A-127. 35-A MRSA §2503, sub-§18,** as enacted by PL 1987, c. 141, Pt. A,
27 §6, is amended to read:

28 **18. Rights of applicable licensing authority.** Nothing in Title 30 ~~30-A~~, section ~~2154~~
29 ~~3008~~, subsection ~~1~~, ~~paragraph H~~, ~~5~~ impairs the rights of the applicable licensing authority.

30 **Sec. A-128. 35-A MRSA §3206-A, sub-§2,** as enacted by PL 1999, c. 398, Pt. G,
31 §4, is amended by amending the first blocked paragraph to read:

32 If the commission orders a divestiture pursuant to this subsection, the distribution utility
33 must complete the divestiture within 12 months of the order to divest, unless the
34 commission grants an extension. Upon application by the distribution utility, the
35 commission may grant an extension for the purpose of permitting the utility to complete a
36 divestiture that has been initiated in good faith but not finalized within the 12-month period.
37 The commission shall oversee and approve a divestiture in accordance with rules adopted
38 pursuant to section 3204, subsection 4.

39 **Sec. A-129. 36 MRSA c. 109,** as amended, is repealed.

40 **Sec. A-130. 37 MRSA c. 5,** as amended, is repealed.

41 **Sec. A-131. 37 MRSA c. 7,** as amended, is repealed.

1 **Sec. A-132. 37 MRSA c. 9**, as amended, is repealed.

2 **Sec. A-133. 37-B MRSA §796, sub-§3**, as enacted by PL 1989, c. 464, §3, is
3 amended to read:

4 **3. Revised data sheets.** Within 3 months after the discovery of new information about
5 a hazardous chemical or extremely hazardous substance identified in the data sheet required
6 by subsection 1, ~~paragraph A~~ or within 3 months after obtaining a hazardous chemical or
7 extremely hazardous substance for which reporting is required by subsection 1, ~~paragraph~~
8 ~~A~~, the owner or operator of a facility shall prepare and submit a revised data sheet or a
9 revised list of chemicals for which data sheets are available that meets the requirements of
10 subsection 1, ~~paragraph A~~ and contains the new information to the local emergency
11 planning committee, the commission, and the fire department having jurisdiction over the
12 facility.

13 **Sec. A-134. 38 MRSA §440, 3rd ¶**, as amended by PL 1987, c. 737, Pt. C, §§86
14 and 106 and PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to
15 read:

16 Zoning ordinances adopted or extended pursuant to this section need not depend upon
17 the existence of a zoning ordinance for all of the land and water area within a municipality,
18 despite the provisions of Title 30-A, section ~~4503, 4532~~ to the contrary, ~~provided such~~
19 ~~ordinances are except that an ordinance is~~ required for entrance of the municipality into the
20 Federal Flood Insurance Program. Ordinances or amendments adopted by authority of this
21 section ~~shall~~ may not extend beyond an area greater than that necessary to comply with the
22 requirements of the Federal Flood Insurance Program.

23 **Sec. A-135. 38 MRSA §440, 4th ¶**, as amended by PL 1989, c. 403, §9, is further
24 amended to read:

25 Zoning ordinances adopted or amended pursuant to this section ~~shall~~ must designate as
26 a resource protection zone or its equivalent, as defined in the guidelines adopted pursuant
27 to section 438-A, subsection 1, all areas within the floodway of the 100-year flood plain
28 along rivers and in the velocity zone in areas subject to tides, based on detailed flood
29 insurance studies and as delineated on the Federal Emergency Management Agency's Flood
30 Boundary and Floodway Maps and Flood Insurance Rate Maps. This provision does not
31 apply to areas zoned for general development or its equivalent, as defined in the guidelines
32 adopted pursuant to section 438-A, subsection 1, as of ~~the effective date of this paragraph~~
33 July 16, 1986, or within areas designated by ordinances as densely developed. The
34 determination of which areas are densely developed ~~shall~~ must be based on a finding that,
35 as of ~~the effective date of this paragraph~~ July 16, 1986, existing development meets the
36 definition in former section 436, subsection 3.

37 **Sec. A-136. 38 MRSA §480-U, sub-§2, ¶D**, as enacted by PL 1991, c. 214, §2, is
38 amended by amending subparagraph (1) to read:

39 (1) The cranberries must be cultivated in accordance with organic production
40 standards established in Title ~~7, section 551, subsection 2 and section 553,~~
41 subsection 1, paragraph A the rules and regulations of the United States
42 Department of Agriculture, Agricultural Marketing Service's National Organic
43 Program.

1 **Sec. A-137. 38 MRSA §555**, as amended by PL 1997, c. 424, Pt. B, §8, is further
2 amended to read:

3 **§555. Budget approval**

4 The commissioner shall submit budget recommendations for disbursements from the
5 fund in accordance with section 551, subsection 5, paragraphs A, C, F and H for each
6 biennium. The budget must be submitted as part of the unified current services budget
7 legislation in accordance with Title 5, sections 1663 to 1666. The State Controller shall
8 authorize expenditures therefrom as approved by the commissioner. Expenditures pursuant
9 to section 551, subsection 5, paragraphs B, D, ~~and E and G~~ may be made as authorized by
10 the State Controller following approval by the commissioner.

11 **Sec. A-138. 38 MRSA §704** is amended to read:

12 **§704. Trial; costs**

13 When ~~any such an~~ answer is filed pursuant to section 703 and an issue in fact or in law
14 is joined, it ~~shall~~ must be decided as similar issues are decided at common law. If judgment
15 is for the defendant, ~~he shall~~ the defendant is entitled to recover his the defendant's costs.

16 **Sec. A-139. 38 MRSA §718** is amended to read:

17 **§718. --offer of increased compensation**

18 The owner of the mill, dam or canal may within ~~said month~~ the time provided in section
19 717 offer in writing to the owner of the land injured, an increase of compensation for the
20 future. If the owner of the land does not agree to accept it, but brings a new complaint for
21 the purpose of increasing it, ~~he recovers no~~ the owner of the land may not recover costs
22 unless he that owner obtains an increase greater than the offer.

23 **Sec. A-140. 38 MRSA §719** is amended to read:

24 **§719. --offer to accept less compensation**

25 The owner of the land injured may within ~~said month~~ the time provided in section 717
26 offer in writing to the owner of the mill, dam or canal to accept a reduced compensation
27 for the future. If the owner of the mill, dam or canal declines to pay it, and brings a new
28 complaint to obtain a reduction, ~~he shall~~ the owner of the mill, dam or canal may not recover
29 ~~no~~ costs, unless ~~such~~ the compensation is reduced to a sum less than what was offered.

30 **Sec. A-141. 38 MRSA §727** is amended to read:

31 **§727. If complaint abates, rights preserved by new complaint**

32 If ~~such a~~ a complaint referenced in section 725 or 726 is abated or defeated for want of
33 form, or if, after a verdict for the plaintiff, judgment is reversed, ~~he~~ the plaintiff may bring
34 a new complaint at any time within one year ~~thereafter~~ and ~~thereon~~ recover the damages
35 sustained during the 3 years preceding the institution of the first complaint, or at any time
36 afterwards.

37 **Sec. A-142. 38 MRSA §963, sub-§1, ¶A**, as corrected by RR 2021, c. 2, Pt. B,
38 §259, is amended to read:

39 A. Application of the performance standard to the land or water area in question will
40 result in undue hardship to the applicant, ~~provided that hardship to the applicant,~~
41 ~~provided~~ except that hardship ~~shall~~ may not be construed to include hardship:

1 (1) ~~Any hardship attributable~~ Attributable to any act, course of conduct or failure
2 to act of the applicant or the applicant's predecessor in interest beginning with the
3 owner of record on the effective date of this chapter or of a performance standard
4 adopted pursuant ~~thereto~~ to this chapter from which a variance is sought; or

5 (2) ~~Any hardship that~~ That is not unique to the petitioner's land;

6 **Sec. A-143. 38 MRSA §974** is amended to read:

7 **§974. Right of owner to search for lost logs**

8 The owner of ~~such~~ logs, masts or spars referred to in section 971 or the owner's agent
9 may at any time, ~~by himself or his agent,~~ enter in a peaceable manner upon any mill, mill-
10 brow, boom or raft of logs or other timber in search of ~~such that~~ lost property. Whoever
11 willfully prevents or obstructs ~~such a~~ search for that lost property forfeits for each offense
12 not less than \$20 nor more than \$50, to the person by whom or on whose account ~~such the~~
13 entry was claimed, to be recovered in a civil action.

14 **Sec. A-144. 38 MRSA §1104, sub-§2, ¶C**, as enacted by PL 1981, c. 466, §3, is
15 amended to read:

16 C. The trustee against whom the recall petition is filed ~~shall be~~ is a candidate at the
17 special election without nomination, unless ~~he~~ the trustee resigns within 10 days after
18 the original filing of the petition. ~~There shall be no~~ A primary may not be held.
19 Candidates for the office may be nominated under the usual procedure of nomination
20 for a primary election by filing nomination papers, not later than 5 p.m., 4 weeks
21 preceding the election and have their names placed on the ballot at the special election.

22 **Sec. A-145. 39-A MRSA §201, sub-§3-A, ¶B**, as amended by PL 2021, c. 629,
23 §2, is further amended to read:

24 B. The employee is a law enforcement officer, corrections officer, E-9-1-1 dispatcher,
25 firefighter or emergency medical services person and is diagnosed by an allopathic
26 physician or an osteopathic physician licensed under Title 32, chapter 48 or chapter 36,
27 respectively, with a specialization in psychiatry or a psychologist licensed under Title
28 32, chapter 56 as having post-traumatic stress disorder that resulted from work stress,
29 that the work stress was extraordinary and unusual compared with that experienced by
30 the average employee and the work stress and not some other source of stress was the
31 predominant cause of the post-traumatic stress disorder, in which case the post-
32 traumatic stress disorder is presumed to have arisen out of and in the course of the
33 worker's employment. This presumption may be rebutted by clear and convincing
34 evidence to the contrary. For purposes of this paragraph, "law enforcement officer,"
35 "corrections officer," "firefighter" and "emergency medical services person" have the
36 same meaning as in section 328-A, subsection 1. For the purposes of this paragraph,
37 "E-9-1-1 dispatcher" means a person who receives calls made to the E-9-1-1 system
38 and dispatches emergency services. "E-9-1-1 dispatcher" includes an emergency
39 medical dispatcher as defined in Title 32, chapter 2-B, section 85-A, subsection 1,
40 paragraph D.

41 Each time the Legislature amends this paragraph to provide for a rebuttable
42 presumption for a new category of employees, the board shall submit a report to the
43 joint standing committee of the Legislature having jurisdiction over labor matters no
44 later than the January 1st after the 5th year of the addition of the category of employees

1 and no later than the January 1st after the 10th year of the addition of the category of
2 employees. The reports must include an analysis of the number of claims brought under
3 this paragraph, the portion of those claims that resulted in a settlement or award of
4 benefits and the effect of the provisions of this paragraph on costs to the State and its
5 subdivisions. The Department of Administrative and Financial Services, Bureau of
6 Human Resources and the Department of Public Safety shall assist the board in
7 developing the reports, and the board shall seek the input of an association ~~the~~ whose
8 membership whose consists exclusively of counties, municipalities and other political
9 or administrative subdivisions in the development of the report.

10 This paragraph is repealed October 1, 2025.

11 **Sec. A-146. 39-A MRSA §308, sub-§2**, as enacted by PL 1991, c. 885, Pt. A, §8
12 and affected by §§9 to 11, is amended to read:

13 **2. Employment status reports.** At the previous employer's request, any person
14 receiving compensation under this Act who has not returned to that person's previous
15 employment must submit quarterly employment status reports to that employer. The report
16 is due 90 days after the date of injury, or after the filing of the report under subsection 3 1,
17 and every 90 days thereafter. The report must be in a form prescribed by the board and
18 must indicate whether the employee has been employed, changed employment or
19 performed any services for compensation during the previous 90 days, the nature of the
20 employment or services, the name and address of the employer or person for whom the
21 services were performed and any other information that the board by rule may require. Any
22 employer requesting a quarterly report under this subsection must provide the employee
23 with the prescribed form at least 15 days prior to the date on which it is due.

24 **Sec. A-147. PL 2019, c. 650, §20, amending clause** is amended to read:

25 **Sec. 20. 29-A MRSA §2390, sub-§1**, as amended by PL 2017, c. 165, §10 and c.
26 229, §34, is further amended by ~~amending the first paragraph~~ to read:

27 **Sec. A-148. PL 2021, c. 528, §10** is amended to read:

28 **Sec. 10. Maine Veterans' Homes; Caribou and Machias locations.**
29 Notwithstanding any decision of the Board of Trustees of the Maine Veterans' Homes prior
30 to the effective date of this section, the Maine Veterans' Homes located in Caribou and
31 Machias may not be closed until the Board of Trustees of the Maine Veterans' Homes
32 submits a report under the Maine Revised Statutes, Title 37-B, section 611 that includes a
33 proposal to close those homes and the process required under Title 37-B, section 612 has
34 been followed.

35 **Sec. A-149. PL 2021, c. 688, §3** is amended to read:

36 **Sec. 3. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 26,
37 section ~~3702~~ 3802, subsection 5, initial appointments to the Essential Support Workforce
38 Advisory Committee must be staggered as follows:

39 1. One member appointed by the President of the Senate must be appointed for a one-
40 year term; one member must be appointed for a 2-year term; and 3 members must be
41 appointed for 3-year terms; and

- 1 Section 34 corrects a cross-reference.
- 2 Section 35 corrects a cross-reference.
- 3 Section 36 corrects a cross-reference and makes grammatical changes.
- 4 Sections 37 and 38 correct cross-references and make grammatical changes.
- 5 Section 39 corrects a cross-reference.
- 6 Section 40 corrects a cross-reference.
- 7 Section 41 corrects a cross-reference.
- 8 Section 42 removes an obsolete cross-reference.
- 9 Section 43 corrects a cross-reference.
- 10 Section 44 corrects a conflict created by Public Law 2021, chapters 676 and 719, which
11 affected the same provision of law, by repealing the provision and replacing it with the
12 chapter 719 version.
- 13 Section 45 corrects a cross-reference.
- 14 Section 46 corrects a cross-reference.
- 15 Sections 47 to 49 remove obsolete cross-references.
- 16 Section 50 corrects gender-specific language and makes grammatical changes.
- 17 Section 51 corrects a clerical error.
- 18 Section 52 corrects a cross-reference.
- 19 Section 53 corrects cross-references.
- 20 Sections 54 to 56 make grammatical changes.
- 21 Section 57 corrects a conflict created by Public Law 2019, chapters 331 and 354, which
22 affected the same provision of law, by repealing and replacing the provision with the
23 chapter 354 version. The chapter 354 version omits language that appears in the chapter
24 331 version but that chapter 354 enacted, with the addition of the Maine Center for Disease
25 Control and Prevention, in an immediately adjacent provision.
- 26 Section 58 corrects a conflict created by Public Law 2021, chapters 367 and 387, which
27 affected the same provision of law, by incorporating the changes made by both laws.
- 28 Section 59 corrects a cross-reference.
- 29 Section 60 corrects a cross-reference.
- 30 Section 61 makes a technical correction.
- 31 Section 62 corrects a cross-reference.
- 32 Section 63 corrects gender-specific language and makes grammatical changes.
- 33 Section 64 removes outdated language and references to eliminated advisory bodies
34 and makes grammatical changes.
- 35 Section 65 removes references to eliminated advisory bodies and makes grammatical
36 changes.
- 37 Section 66 corrects a cross-reference.

1 Section 67 removes an obsolete reference.

2 Sections 68 and 69 remove references to eliminated advisory bodies.

3 Section 70 removes references to an eliminated advisory body and makes grammatical
4 changes.

5 Section 71 removes cross-references to repealed provisions of law and references to
6 eliminated advisory bodies and makes grammatical changes.

7 Section 72 removes cross-references to repealed provisions of law and references to
8 eliminated advisory bodies and makes grammatical changes.

9 Sections 73 to 75 remove references to eliminated advisory bodies and make
10 grammatical changes and technical corrections.

11 Section 76 removes a reference to an eliminated advisory body and makes grammatical
12 changes and a technical correction.

13 Section 77 corrects gender-specific language.

14 Section 78 corrects a cross-reference and makes a grammatical change.

15 Sections 79 and 80 correct gender-specific language and make grammatical changes.

16 Section 81 removes a reference to an eliminated advisory body and makes grammatical
17 changes.

18 Section 82 removes an obsolete cross-reference.

19 Section 83 corrects a cross-reference and makes a grammatical change.

20 Section 84 corrects a cross-reference.

21 Section 85 removes an obsolete cross-reference and makes a grammatical change.

22 Section 86 corrects a cross-reference.

23 Section 87 removes a provision referencing a repealed provision of law, corrects
24 gender-specific language and makes a grammatical change.

25 Sections 88 and 89 remove obsolete language referencing a repealed provision of law
26 and make a grammatical change.

27 Section 90 makes a grammatical correction.

28 Section 91 corrects a clerical error.

29 Section 92 makes a grammatical correction.

30 Section 93 makes grammatical and technical corrections.

31 Section 94 makes grammatical and technical corrections.

32 Sections 95 to 97 conform the spelling of a term to a statutory norm.

33 Section 98 removes obsolete cross-references.

34 Section 99 makes grammatical and formatting changes.

35 Section 100 removes an obsolete cross-reference.

36 Section 101 makes grammatical changes and technical corrections.

1 Section 102 corrects a clerical error.

2 Section 103 corrects a conflict created by Public Law 2021, chapters 598 and 658,
3 which affected the same provision of law, by incorporating the changes made by both laws,
4 and makes conforming changes.

5 Section 104 corrects a cross-reference.

6 Sections 105 and 106 correct conflicts created by Public Law 2021, chapters 622 and
7 658, which affected the same provisions of law, by repealing the provisions and replacing
8 them with the chapter 622 versions.

9 Section 107 corrects a conflict created by Public Law 2021, chapters 622 and 658,
10 which affected the same provision of law, by repealing the provision and replacing it with
11 the chapter 622 version.

12 Section 108 corrects cross-references.

13 Section 109 corrects a cross-reference.

14 Section 110 corrects a cross-reference and makes a grammatical change.

15 Sections 111 and 112 correct a cross-reference.

16 Section 113 removes a reference to the State Board of Corrections, which was
17 eliminated by Public Law 2015, chapter 335.

18 Section 114 corrects cross-references, makes grammatical changes and eliminates an
19 outdated term.

20 Section 115 removes the conditional effective date of the Occupational Therapy
21 Licensure Compact as executed law because the conditions have been met and the compact
22 has taken effect.

23 Section 116 corrects a cross-reference.

24 Section 117 corrects a cross-reference.

25 Section 118 removes the conditional effective date of the Psychology
26 Interjurisdictional Compact as executed law because the conditions have been met and the
27 compact has taken effect.

28 Section 119 corrects a conflict created by Public Law 2019, chapters 496 and 498,
29 which affected the same provision of law, by repealing the provision.

30 Section 120 corrects a conflict created by Public Law 2019, chapters 496 and 498,
31 which affected the same provision of law, by repealing the provision.

32 Section 121 corrects a conflict created by Public Law 2019, chapters 496 and 498,
33 which affected the same provision of law, by repealing the provision.

34 Section 122 corrects a conflict created by Public Law 2019, chapters 496 and 498,
35 which affected the same provision of law, by repealing the provision.

36 Sections 123 to 125 correct a cross-reference.

37 Section 126 corrects a conflict created by Public Law 2021, chapters 659 and 702,
38 which affected the same provision of law, by repealing the provision and replacing it with
39 the chapter 702 version and changing references from "competitive service provider" to
40 "competitive electricity provider."

- 1 Section 127 corrects a cross-reference.
- 2 Section 128 corrects a cross-reference.
- 3 Section 129 makes a technical correction by repealing a chapter of law in which all of
4 the contents have already been repealed.
- 5 Section 130 makes a technical correction by repealing a chapter of law in which all of
6 the contents have already been repealed.
- 7 Section 131 makes a technical correction by repealing a chapter of law in which all of
8 the contents have already been repealed.
- 9 Section 132 makes a technical correction by repealing a chapter of law in which all of
10 the contents have already been repealed.
- 11 Section 133 corrects a cross-reference.
- 12 Sections 134 and 135 correct cross-references and make grammatical changes and
13 technical corrections.
- 14 Section 136 removes cross-references to provisions of law repealed after the State's
15 organic certification program became obsolete and a federal organic certification and
16 labeling program was established and replaces the cross-references with a reference to the
17 federal program.
- 18 Section 137 removes an obsolete cross-reference and makes a grammatical change.
- 19 Section 138 makes grammatical changes, corrects gender-specific language and
20 specifies a cross-reference.
- 21 Section 139 corrects gender-specific language and specifies a cross-reference.
- 22 Section 140 makes a grammatical change, corrects gender-specific language and
23 specifies a cross-reference.
- 24 Section 141 makes a technical correction, corrects gender-specific language and
25 specifies a cross-reference.
- 26 Section 142 removes redundant text and makes grammatical changes and technical
27 corrections.
- 28 Section 143 corrects gender-specific language, specifies a cross-reference and makes
29 grammatical changes.
- 30 Section 144 corrects gender-specific language and makes grammatical changes.
- 31 Section 145 corrects a clerical error.
- 32 Section 146 corrects a cross-reference.
- 33 Section 147 corrects an amending clause.
- 34 Section 148 corrects a clerical error.
- 35 Section 149 corrects a cross-reference.