

An Act Making Unified Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2025

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

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriations and allocations. In order to provide for the necessary expenditures of State Government and other purposes for the fiscal year ending June 30, 2025, the following sums as designated in the following tabulations are appropriated or allocated out of money not otherwise appropriated or allocated.

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

PART C

Sec. C-1. 36 MRSA §111, sub-§1-A, as amended by PL 2023, c.619, §1 and affected by §2, is further amended to read:

1-A. Code. “Code” means the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, ~~2023~~ 2024.

Sec. C-2. Application. This Act applies to tax years beginning on or after January 1, 2024 and to any prior tax year as specifically provided by the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2024.

PART C SUMMARY

This Part updates references to the United State Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 13, 2024, for tax years beginning on or after January 1, 2024 and for any prior tax year as specifically provided by the United State Internal Revenue Code of 1986, as amended.

PART D

Sec. D-1. 5 MRSA §1742, sub-§20-B is enacted to read:

20-A. Renewable Energy Credits. To purchase, retire, and sell Renewable Energy Credits. Proceeds must first be applied to achieve the State’s obligation to supply electricity used in State-owned buildings by 100% renewable energy. If the State generates more Renewable Energy Credits than needed to achieve 100% renewable energy for State buildings, the Credits may be sold and placed in a “Lead by Example” Other Special Revenue Account established in section 1742-H.

Mechanisms for Renewable Energy Credit sales and purchases, administration of sale proceeds, the allocation/distribution of State and federal credits and reimbursements, including IRS Elective Pay reimbursements, and administration of the Other Special Revenue account, must be established by the Bureau of General Services by routine technical rulemaking. .

Sec. D-1. 5 MRSA §1742-H is enacted to read:

§1742-H. Bureau of General Services; Lead by Example program

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

A. “Renewable energy credit” has the same meaning as in 35-A MRSA §3210 (2)(B-2).

B. “Program” means the Lead by Example program created under subsection 2.

2. The Lead by Example program is established to focus on statewide energy data, strategic energy purchases and development of renewable energy projects, and serve as a competitive, revolving grant program for State agency renewable energy projects, purchase of electric vehicles, construction of electric vehicle charging stations, and initiatives that support maintenance, upgrades and upkeep of renewable energy systems.

3. Assistance and funding. The program shall receive direct reimbursements, including under the IRS Elective Pay reimbursement program established under the Inflation Reduction Act of 2022. Funds must be placed in the same Other Special Revenue Account.

**PART D
SUMMARY**

This Part authorizes the purchase and sale of renewable energy credits and establishes the Lead by Example program within the Department of Administrative and Financial Services, Bureau of General Services.

PART E

Sec. E-1. Transfer from Department of Administrative and Financial Services, Statewide-Family and Medical Leave; University. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer the unobligated balance from the Statewide-Family and Medical Leave, General Fund and Highway Fund accounts within the Department of Administrative and Financial Services to the University of Maine System, General Fund account for the purpose of supporting Maine’s Paid Family and Medical Leave premiums for eligible University of Maine System employees. These funds may be transferred by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

**PART E
SUMMARY**

This Part authorizes the transfer of the unobligated balance in the Statewide-Family and Medical Leave, General Fund and Highway Fund accounts within the Department of Administrative and Financial Services to the University of Maine System, General Fund account for the purpose of supporting Maine’s Paid Family and Medical Leave premiums for eligible University of Maine System employees.

PART F

Sec. F-1. 5 MRSA §1536, sub-§1, as amended by PL 2021, c. 398, Part ZZZ, §3, is further amended to read:

1. Final priority reserves. After the transfers to the State Contingent Account pursuant to section 1507, the transfers to the Loan Insurance Reserve pursuant to section 1511, the transfers pursuant to section 1522, a transfer of \$2,500,000 for the Reserve for General Fund Operating Capital, a transfer of \$3,000,000 to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management and the transfers to the Retiree Health Insurance Internal Service Fund pursuant to section 1519, the State Controller shall transfer at the close of each fiscal year from the unappropriated surplus of the General Fund an amount equal to the amount available from the unappropriated surplus after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made as follows:

- A. Eighty percent to the stabilization fund; and

- B.
- C.
- D.
- E.
- F.

G. Twenty percent to the Highway and Bridge Capital program, Other Special Revenue Funds account.

**PART F
SUMMARY**

This Part establishes a \$3 million transfer to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management to fund the State’s share of disaster recovery costs.

PART G

Sec. G-1. Carrying provision; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law to the contrary, at the end of fiscal year 2024-25, the State Controller shall carry forward any unexpended balance remaining of the \$500,000 appropriated in Public Law 2021, chapter 635, in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture program, General Fund account, All Other line category to the next fiscal year to be used for replacement of the feed, seed, and fertilizer database.

**PART G
SUMMARY**

This Part authorizes the State Controller to carry forward up to \$500,000 of unexpended balance in the All Other line category in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources at the end of fiscal year 2024-25 to the All Other line category for the next fiscal year in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to be used to replace the feed, seed, and fertilizer database.

PART H

Sec. H-1. Carrying provision; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law to the contrary, at the end of fiscal year 2024-25, the State Controller shall carry forward any

unexpended balance remaining of the \$1,500,000 appropriated in Public Law 2023, chapter 412, in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture program, General Fund account, Capital Expenditures line category to the next fiscal year to be used for replacement of the licensing and inspection database.

PART H SUMMARY

This Part authorizes the State Controller to carry forward up to \$1,500,000 of unexpended balance in the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources at the end of fiscal year 2024-25 to the Capital Expenditures line category for the next fiscal year in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to be used to replace the licensing and inspection database.

PART I

Sec. I-1. Carrying provision; Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources. Notwithstanding any other provision of law to the contrary, at the end of fiscal year 2024-25, the State Controller shall carry forward any unexpended balance remaining of the \$750,000 appropriated in Public Law 2023, chapter 412, in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture program, General Fund account, Capital Expenditures line category to the next fiscal year to be used to upgrade the Cony Road facility in Augusta.

PART I SUMMARY

This Part authorizes the State Controller to carry forward up to \$750,000 of unexpended balance in the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources at the end of fiscal year 2024-25 to the Capital Expenditures line category for the next fiscal year in the Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources to be used to upgrade the Cony Road facility in Augusta.

PART J

Sec. J-1. Transfer from the General Fund unappropriated surplus; Disaster Recovery Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025 the State

controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management to fund the State's share of estimated disaster recovery costs.

PART J SUMMARY

This Part transfers \$5,000,000 from the unappropriated surplus of the General Fund to the Disaster Recovery Fund, Other Special Revenue Funds account within the Department of Defense, Veterans and Emergency Management to fund the State's share of estimated disaster recovery costs.

PART K

Sec. K-1. 22 MRSA §259, sub-§1-D and sub-§3, as enacted by PL 2023, c. 643, Pt. QQ, §3 and §4, are repealed.

PART K SUMMARY

This Part repeals the language approved in Public Law 2023, chapter 643, Pt. QQ, §3 and §4 to support federally qualified health centers in developing and expanding pharmacy services and access to affordably priced prescription drugs for the patients of such health centers.

PART L

Sec. L-1. 36 MRSA §2891, as amended by PL 2021, c. 253, Pt. B, §5 is further amended to read:

1. Hospital. "Hospital" means an acute care health care facility with permanent inpatient beds planned, organized, operated and maintained to offer for a continuing period of time facilities and services for the diagnosis and treatment of illness, injury and deformity; with a governing board and an organized medical staff offering continuous 24-hour professional nursing care; with a plan to provide emergency treatment 24 hours a day and including other services as defined in rules of the Department of Health and Human Services relating to licensure of Acute Care Hospitals, Critical Access Hospitals, Psychiatric Hospitals, and Rehabilitation Hospitals ~~general and specialty hospitals~~; and that is licensed under Title 22, chapter 405 ~~as a general hospital, specialty hospital or critical access hospital~~. For purposes of this chapter, "hospital" does not include a nursing home or a ~~publicly owned specialty hospital~~ or, for state fiscal years beginning

on or after July 1, 2008, municipally funded hospitals; or, beginning January 1, 2025, critical access hospitals.

Sec. L-2. 36 MRSA §2891 subsection 1-B is enacted to read:

1-B. Acute Care Hospital. Acute Care Hospital means an institution licensed as an Acute Care hospital by the Department of Health and Human Services pursuant to 22 M.R.S.A. Chapter 405. An Acute Care Hospital is primarily engaged in providing, by or under the supervision of physicians, inpatient diagnostic and therapeutic services or rehabilitation services. An Acute Care Hospital has the option to provide organ transplant services.

Sec. L-3. 36 MRSA §2891 subsection 1-C is enacted to read:

1-C. Critical Access Hospital. Critical Access Hospital means an institution licensed as a Critical Access Hospital by the Department of Health and Human Services pursuant to 22 M.R.S.A. Chapter 405. A Critical Access Hospital is a rural hospital consisting of no more than twenty-five (25) acute/skilled nursing care beds that can be used for either acute inpatient or skilled nursing care.

Sec. L-4. 36 MRSA §2891 subsection 1-D is enacted to read:

1-D. Psychiatric Hospital. A Psychiatric Hospital means an institution licensed as a Psychiatric Hospital by the Department of Health and Human Services pursuant to 22 M.R.S.A. Chapter 405. A Psychiatric Hospital is a specialized hospital that provides inpatient and outpatient services for individuals with mental illness and is a facility.

Sec. L-5. 36 MRSA §2891 subsection 1-E is enacted to read:

1-E. Rehabilitation Hospital. A Rehabilitation Hospital means an institution licensed as a Rehabilitation Hospital by the Department of Health and Human Services pursuant to 22 M.R.S.A. Chapter 405. A Rehabilitation Hospital provides essential therapy and coordinated care that assists patients in recovering from serious disabling illness or injury. These hospital-based services may be provided in the inpatient setting or as outpatient services.

Sec. L-6. 36 MRSA §2891 subsection 3 is amended to read:

~~**Sec.3. Publicly owned specialty hospital.** "Publicly owned specialty hospital" means a publicly owned hospital that is primarily engaged in providing psychiatric services for the diagnosis, treatment and care of persons with mental illness and that is licensed as a specialty hospital by the Department of Health and Human Services~~

Sec. L-7. 36 MRSA §2892, 2nd ¶, as amended by PL 2023, c. 643, §6, is further amended to read:

For state fiscal years beginning on or after July 1, 2004, a tax is imposed annually against each hospital in the State. The tax is equal to 2.23% of the hospital's net operating revenue as identified in the hospital's audited financial statement for the hospital's taxable year. Beginning January 1, 2025, the tax for acute care hospitals and specialty rehabilitation hospitals is equal to 3.25% of the hospital's net operating revenue as identified in the hospital's audited financial

statement for the hospital's fiscal year that ended during calendar year 2022. Beginning January 1, 2025, the tax does not apply to critical access hospitals. For the state fiscal year beginning July 1, 2004, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2002. For the state fiscal year beginning July 1, 2005, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2003. For state fiscal years beginning on or after July 1, 2006 but before July 1, 2008, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2004.

Sec. L-8. 36 MRSA §2893, sub-§2-A as enacted by PL 2023, c. 643, §6, is amended to read:

2-A. Return required in state fiscal year beginning July 1, 2024. For tax due for the state fiscal year beginning July 1, 2024, a person subject to the tax imposed by section 2892 shall submit to the assessor a return on a form prescribed by the assessor and pay:

A. An amount equal to 2.23% of the hospital's net operating revenue as identified in the hospital's audited financial statement for the hospital's fiscal year that ended during calendar year 2020 multiplied by one-half on or before November 15, 2024;

B. For a ~~an acute care hospital or a rehabilitation hospital or a specialty hospital~~, an amount equal to 3.25% of the hospital's net operating revenue as identified in the hospital's audited financial statement for the hospital's fiscal year that ended during calendar year 2022 multiplied by one-half on or before May 15, 2025; and

C. For a facility licensed as a psychiatric hospital by the Department of Health and Human Services pursuant to Title 22, section 1817, an amount equal to 2.23% of the Page 191 - 131LR3108(23) hospital's net operating revenue as identified in the hospital's audited financial statement for the hospital's fiscal year that ended during calendar year 2022 multiplied by one-half on or before May 15, 2025.

PART L SUMMARY

This Part defines Acute Care Hospital, Critical Access Hospital, Psychiatric Hospital, and Rehabilitation Hospital and removes reference to publicly owned specialty hospitals. It also corrects a drafting error in PL 2023 c. 643 and specifies that beginning January 1, 2025 the tax for acute care hospitals and rehabilitation hospitals is equal to 3.25%. The tax for Psychiatric Hospitals remains at 2.23%.

PART M

Sec. M-1. Emergency rule-making authority; health and human services matters. The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 as necessary to implement those

provisions of this Act over which the department has subject matter jurisdiction for which specific authority has not been provided in any other Part of this Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

PART M SUMMARY

This Part authorizes the Department of Health and Human Services to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

PART N

Sec. N-1. 22 MRSA §3731-A, sub-§1 as enacted by PL 2023, c. 643, Pt. RRR, §1 is amended to read:

- 1. State funding to support eligible families.** Other Special Revenue Funds and General Funds allocated for the purposes of supporting the Maine Child Care Affordability Program may be used to support any eligible family.

PART N SUMMARY

This Part amends the Maine Child Care Affordability Program to ensure state General Funds can be used to support any eligible family, regardless of income level.

PART O

Sec. O-1. Rename Reserve for Indigent Legal Services. Notwithstanding any provision of law to the contrary, the Reserve for Indigent Legal Services program, within the Maine Commission on Public Defense Services is renamed Reserve for Public Defense Services.

PART O SUMMARY

This section renames the Reserve for Indigent Legal Services program to the Reserve for Public Defense Services consistent with the Commission’s name change enacted in Public Law 2023, chapter 558.

PART P

Sec. P-1. Carrying balance in fiscal year 2024-25; Maine Commission on Public Defense Services. Notwithstanding any provision of law to the contrary, at the end of fiscal year 2024-25, the State Controller shall carry forward for the Maine Commission on Public Defense Services any remaining balance in the Personal Services line category in the Maine Commission on Public Defense Services program, General Fund account to the next fiscal year. The Commission is authorized to transfer these funds to the All Other line category in order to fund contractual services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

PART P SUMMARY

This Part authorizes the Maine Commission on Public Defense Services to carry any remaining balance in the Personal Services line category for fiscal year 2024-25 in order to fund contractual services that may be needed if vacancies occur.

PART Q

Sec. Q-1. Transfer from General Fund; Maine Community College System Free Community College - 2 Enrollment Years program; fiscal year 2024-25. Notwithstanding any provision of law to the contrary, on or before June 30, 2025 the State Controller shall transfer \$7,300,000 from the unappropriated surplus of the General Fund to the Maine Community College System Free Community College – 2 Enrollment Years program, Other Special Revenue Funds account within the Maine Community College System to continue support of the 2 years of free community college for all eligible students who meet the conditions in Public Law 2023, chapter 412, Part QQQ, section 3, subsection 2.

PART Q SUMMARY

This Part provides one-time funding to support the Maine Community College System Free Community College – 2 Enrollment Years program.

PART R

Sec. R-1. Suspension of Appropriation Limit. Notwithstanding any provision of law to the contrary, the requirements in Maine Revised Statutes, Title 5 section 1534 establishing an appropriation limit and the criteria for exceeding the limit is suspended for the duration of fiscal year 2024-25.

PART R SUMMARY

This Part suspends the appropriation limit for the remainder of fiscal year 2024-25.

PART S

Sec. S-1. 22 MRSA §4308, sub-§1-A, as enacted by PL 2011, c. 655, Pt. R, §2, is amended to read:

1-A. Limit on housing assistance. Except as provided in subsections 1B, ~~and 2,~~ housing assistance provided pursuant to this chapter is limited to a maximum of 93 months in a 12-month period per household, except for temporary housing and emergency shelters, defined by the Department by rule ~~during the period from July 1, 2012 to June 30, 2013.~~

Sec. S-2. 22 MRSA §4308, sub-§2, as amended by PL 2023, c. 643, Pt. II, §1, is further amended to read:

A municipality may not exceed maximum levels of assistance established pursuant to section 4305 for an applicant household for more than 30 days in a 12-month period ~~when assistance is granted for housing in hotel, motel, inn or other lodging place as defined in section 2491, subsection 7-F.~~

PART S SUMMARY

This Part limits housing assistance under the General Assistance Program, except for temporary housing and emergency shelters, to a maximum of 3 months in a 12-month period per household. It also limits municipalities from exceeding the maximum levels of assistance for all assistance categories for no more than 30 days in a 12-month period per household.

PART T

Sec. T-1. Transfer from General Fund unappropriated surplus; Department of Agriculture, Conservation and Forestry, Animal Welfare Fund. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$250,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Animal Welfare Fund program, Other Special Revenue Funds account for extraordinary costs related to animal seizures.

**PART T
SUMMARY**

This Part provides one-time funding to assist with extraordinary costs related to animal seizures.

PART U

Sec. U-1. Transfer from General Fund unappropriated surplus; Department of Agriculture, Conservation and Forestry, Forest Resource Management. Notwithstanding any provision of law to the contrary, on or before June 30, 2025, the State Controller shall transfer \$2,000,000 from the unappropriated surplus of the General Fund to the Department of Agriculture, Conservation and Forestry, Forest Resource Management, Other Special Revenue Funds account to provide one-time funding to address the management and early intervention of Spruce Budworm.

**PART U
SUMMARY**

This Part provides one-time funding to address the early intervention and management of Spruce Budworm in Maine.

PART V

Sec. V-1. Continuation of limited-period positions. Notwithstanding any provision of law to the contrary, all limited-period positions throughout State Government that are scheduled to expire during June 2025, are already funded through the end of fiscal year 2024-25 and are proposed to continue in the 2026-2027 biennium, are continued until August 1, 2025.

**PART V
SUMMARY**

This Part authorizes an extension of the expiration date to August 1, 2025 for limited-period positions that are set to expire in June 2025 but are funded through fiscal year 2024-25 and are proposed to continue into the next biennium.

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